

Donald I. Thomas
Herbert M. Coleman
David D. Scott
Frank H. Brumby, Jr.
Chauncey S. Willard
John H. Morse, Jr.
David F. Kinert
Ernest D. Hodge
Harry L. Reiter, Jr.

Morton Sunderland
Ernest P. Abrahamson
Ronald L. Wilson
Richard H. Lambert
Fred L. Ruhlman
Robert H. Weeks
John G. Spangler
Walter D. Coleman

TO BE LIEUTENANT (JUNIOR GRADE)

Paul B. Ryan

TO BE ASSISTANT DENTAL SURGEONS

Richard C. Shaw	Harry B. McInnis
Theodore A. Lesney	Robert A. Colby
Tyles R. Schroeder	William J. Charm
Howard B. McKinney	Lewis L. Cross
William R. Stanmeyer	George R. Reynolds

TO BE ASSISTANT PAYMASTER

Charles J. Lightfoot

TO BE CHAPLAIN

Roy L. Lewis

TO BE CHIEF BOATSWAINS

James H. Trimble
Luin G. Kingman

TO BE CHIEF GUNNERS

John O. Cavanaugh
Harry B. Krupa
Ralph L. Keeting

TO BE CHIEF ELECTRICIAN

Merle W. Colony

TO BE CHIEF RADIO ELECTRICIANS

Charles A. Mattson
Frank H. Clarke

TO BE CHIEF MACHINISTS

Erwin W. Miller	Wilfred S. Iredale
Oswald J. Reas	Joshua H. Garrett
Gilbert W. Bane	

TO BE CHIEF CARPENTER

Karl B. Diefenbach

POSTMASTERS

ALASKA

Guy E. Mish, Nome.

CALIFORNIA

George W. McMurry, Loma Linda.

COLORADO

Willard T. Moreland, Simla.

FLORIDA

Thomas Jesse Webb, Ojus.

INDIANA

Hugh M. Hayes, Elkhart.
Elnora Root, Hagerstown.

KANSAS

Nat G. Walker, Great Bend.

MAINE

Ida P. Stone, Oxford.

MASSACHUSETTS

Carl R. Rowe, Marlboro.

MINNESOTA

Richard G. Romens, Littlefork.
James T. Collins, Oak Terrace.

OKLAHOMA

Edward S. Bowles, Perry.

PENNSYLVANIA

Frank Bertovich, Bentleyville.
Blanche C. Anderson, Monongahela.

SOUTH CAROLINA

Mary Gertrude Jenerette, State Park.

WISCONSIN

Rinold N. Duren, Cazenovia.
Roger R. Austin, Lancaster.
John W. Kelley, Rhinelander.
Joseph N. Thiele, Whitewater.

HOUSE OF REPRESENTATIVES

THURSDAY, MARCH 7, 1940

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Eternal God, strong to save, hear us when we call to Thee. O Thou, the unaging Christ, who hast suffered for every sin-convicted heart; Thou Holy Spirit, the Divine comforter, who didst brood upon the waters and bade the wild confusion cease; O Holy Trinity of love, mercy, and power, enable us by faith to cling to Thee. Incline our hearts to wisdom, our souls to love, and our lives to faith that the sweetening streams of the higher humanities may flow forth, unfolding and revealing Thy holy will in this changing world. By Thy help may we forsake every known evil, retire into the hushed depths of our own being and pray to God who wears the robes of the universe: "O Lord, make bare Thine arm and Thy righteous will be done." O lift us beyond the dust of matter into the morning realms of hope and vision where the tree of life spreads its branches, and here may we yearn for a deeper rest not known before. In the holy name of our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed a joint resolution and bills of the House of the following titles:

On March 1, 1940:

H. J. Res. 456. Joint resolution making available for the fiscal year 1940 an additional amount from the special funds heretofore set up for the payment of compensation benefits authorized by certain Emergency Relief Appropriation Acts.

On March 2, 1940:

H. R. 4198. An act for the relief of M. L. Parish;
H. R. 6084. An act for the relief of Katheryn S. Anderson; and

H. R. 8237. An act to amend the District of Columbia Revenue Act of 1939.

On March 4, 1940:

H. R. 1456. An act for the relief of Maj. Herbert A. Jacob;
H. R. 2860. An act for the relief of Ben Willie Jones, as legal representative of Thelma Jones, a deceased minor;

H. R. 3794. An act to establish the Kings Canyon National Park, Calif., to transfer thereto the lands now included in the General Grant National Park, and for other purposes; and

H. R. 6505. An act to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto.

On March 5, 1940:

H. R. 112. An act to facilitate control of soil erosion and flood damage on lands within the Ozark and Ouachita National Forests in Arkansas.

On March 6, 1940:

H. R. 3391. An act providing payment to employees, Bureau of Reclamation, for mileage traveled in privately owned automobiles; and

H. R. 7270. An act to amend the Bonneville Project Act.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate disapproves to the amendment of the House to the bill (S. 685) entitled "An act to create a Division of Water Pollution control in the United States Pub-

lic Health Service, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BARKLEY, Mr. SHEPPARD, and Mr. McNARY to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to a joint resolution of the Senate of the following title:

S. J. Res. 206. Joint resolution creating a joint committee to arrange for the celebration of the sesquicentennial anniversary of the signing of the first United States patent law.

NATIONAL LABOR RELATIONS ACT

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. SMITH of Virginia. Mr. Speaker, by direction of a majority of the committee, of which I am chairman, to investigate the National Labor Relations Board, I have this morning introduced certain amendments to the National Labor Relations Act, which have been referred to the Committee on Labor.

As it is somewhat difficult to ascertain what the amendments really mean by simply reading the amendments themselves, I ask unanimous consent, Mr. Speaker, that I may extend my remarks at this point in the RECORD to include an explanatory statement of the purpose and effect of the amendments.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. SMITH of Virginia. And may I say, Mr. Speaker, while I regret very deeply the inability of the committee to submit a unanimous report as to the amendments, nevertheless I believe that each member of the committee has striven earnestly and honestly to reconcile our views. It is now up to the Members of this House as to whether they wish to take action at this session of the Congress on the National Labor Relations Act.

I wish to say further that the committee has spent weeks in the preparation of these amendments and I think we can assure the House that there is nothing contained in them that will emasculate the act or diminish the right of collective bargaining or the means of enforcing that right, as guaranteed by the act. We have, however, sought to insure to both employer and employee fair, just, and honest treatment. [Applause.]

The matter referred to follows:

EXPLANATION BY SUBJECTS OF AMENDMENTS RECOMMENDED

The amendments to the National Labor Relations Act which the committee recommends be enacted are submitted in the form of a bill.

ABOLITION OF PRESENT BOARD

The amendments recommended provide for the abolition of the present National Labor Relations Board and the creation of a new Board of three members to be appointed by the President with the advice and consent of the Senate. Not more than two of the members are to be members of the same political party. The new Board is to have the same name as the present Board. There are no restrictions placed on the power of the President to appoint the members of the present Board to the new Board.

SEPARATION OF PROSECUTING AND JUDICIAL FUNCTIONS

The bill proposes to separate the prosecuting and judicial functions under the National Labor Relations Act by distributing the powers and duties under the act between the new Board, which is to exercise the judicial functions on the one hand, and a new officer, to be known as the Administrator of the National Labor Relations Act, who is to exercise the prosecuting functions, on the other hand. The Administrator is to be appointed by the President, with the advice and consent of the Senate, and is to have no connection whatsoever with the Board. The new Board is given power to appoint employees necessary to the exercise of its judicial functions, and the Administrator is given power to appoint employees necessary to the exercise of his prosecuting functions. Whereas under the present act charges of unfair labor practices are made to the regional directors of the Board, and complaints based on those charges are issued by the Board through the regional directors, under the amendments recommended charges will be filed with the Administrator or his regional director. All the preliminary investigations in relation to charges made will be carried out by the Administrator, and if he has reason to believe that the charges are

true, he, and not the Board, will issue the complaints. Under the present act, the time and place for a hearing is designated in the complaint. Under the recommended amendments, the complaint issued by the Administrator will be filed with the new Board, and that Board will fix the time and place for a hearing thereon, which cannot be less than 15 days after the service of the complaint. It is hoped that this change will do away with the practice brought out in the hearing before the committee of fixing "phony" hearing dates for use as a lever to force a settlement. The amendments recommended make it the duty of the Administrator to prosecute the complaint before the Board or before its trial examiner conducting the hearing. The Board has no prosecuting function whatever, but is to sit merely as a judge to determine the facts from the opposing contentions of the Administrator, with his witnesses, and the person complained against, with his witnesses. The Administrator is required to be made a party to all proceedings before the Board and to take such action therein as he deems necessary. Orders of the Board are to be enforced in the courts, not upon application by the Board as under the present law, but upon application of the Administrator. Such application is required to be made when the Board so requests, or may be made by the Administrator on his own motion.

Similarly, proceedings to review an order of the Board are brought by the party aggrieved, as petitioner, against the Administrator, as respondent, and the Administrator, rather than the Board, has the function of bringing to the attention of the court the reasons why the order of the Board should stand and be enforced. Thus, the Board is not required to act as advocate in relation to a matter which it has decided as judge. Since it has no prosecuting functions, the Board is given no power to subpoena any witnesses, but is required, upon application by the Administrator or any party to proceedings before the Board, whether before or during a hearing, forthwith to issue subpoenas to the Administrator or such party, as the case may be, for the attendance of witnesses or production of evidence. The issuance of a subpoena is to be done as a matter of course, but if a person is required by any subpoena to produce evidence under his control, and he thinks that such evidence has no bearing on the inquiry in progress, or that the subpoena does not describe with sufficient particularity the evidence whose production is required, he may move the Board to revoke the issuance of the subpoena, and the Board is required to revoke the issuance of the subpoena if it agrees with him. These changes in provisions relating to the subpoena power will do away with any prior restraint upon the issuance of subpoenas, and at the same time adequately protect persons from fishing expeditions. Under the amendments recommended, enforcement of a subpoena against one who disregards it is to be had in court upon application of the person to whom the subpoena was issued rather than upon application of the Board as under the present law.

REPRESENTATION CASES

Substantial changes are made by the amendments recommended in the power of the Board in relation to determining units appropriate for the purposes of collective bargaining and certifying representatives for collective bargaining. Under the amendments, the Board is precluded from acting in these cases on its own motion, and is permitted to act only upon application by an employer under specified circumstances, or upon application by a specified percentage of, or by a representative representing a specified percentage of, employees. When such an application is made, the Board is required to hold a hearing, and if as a result of the hearing it determines that the statements in the application are true and that the question is one affecting commerce, it is required by order first to determine the unit appropriate for collective bargaining. That unit can't be larger than the largest unit claimed as appropriate in an application filed by employees or representatives in the proceeding. After determining the unit appropriate for collective bargaining, the Board is required to take a secret ballot of employees in that unit, and by order certify the representative or representatives for collective bargaining that have been chosen by a majority of the employees voting. This certification is to be effective for 1 year. Thus during this period both employees and employer will be free from controversies with respect to employee representatives.

The power of the Board to determine the unit appropriate for collective bargaining has one important exception. In cases where there is a dispute between two or more labor organizations, each of which in their applications in the proceeding claim to represent a majority of the employees in the unit claimed by such labor organization to be appropriate, as to the unit or units appropriate for the purposes of collective bargaining, the Board is required to make a finding to that effect, and is given no power in such cases to determine the appropriate unit or units until such labor organizations have by written agreement settled such dispute, or to determine any unit to be appropriate which is not specified and claimed to be such in the agreement.

Where a dispute as to the unit or units appropriate for collective bargaining exists, the employer is protected by providing that it is not an unfair labor practice for him to refuse to bargain with either faction.

FREEDOM OF SPEECH AND OF THE PRESS

Questions have arisen under the present law as to whether section 8 (1) of the act, making it an unfair labor practice to interfere with, restrain, or coerce employees in the exercise of their rights to self-organization and collective bargaining, prohibits an employer from expressing his opinion with respect to matters which may be of interest to employees or to the general public. Obviously, no law of Congress can interfere with the freedom of speech or of the press guaranteed in the Bill of Rights. Hence, a clarifying change

is made in section 8 (1) of the act to provide that nothing therein is to be construed or interpreted as prohibiting any expressions of opinion with respect to any matter which may be of interest to employees or to the general public, provided that such expressions of opinion are not accompanied by acts or threats of discrimination, intimidation, or coercion.

RULES OF EVIDENCE

Under the present law the rules of evidence prevailing in the courts of law or equity are not controlling in Board hearings. This requirement—and it has been construed as a requirement by the Board's trial examiners—has had the effect of making records unduly long, as well as permitting the Board to make findings based upon, and to draw inferences from, evidence which under the most liberal rules would never be admissible in a court of law. The character of controversies which the Board decides is not such that the rules of evidence must be relaxed to any great extent in order that substantial justice may be done or vigorous enforcement of the act effected. Thus, the committee has recommended that the proceedings before the Board or before its trial examiners shall, so far as practicable, be conducted in accordance with the rules of evidence applicable in the district courts of the United States under the rules of civil procedure adopted by the Supreme Court.

FINDINGS OF FACT BY THE BOARD

Under the present law the Board is required to issue an order if upon all the testimony taken it is of the opinion that the person complained against has engaged in an unfair labor practice. The hearings before the committee indicate that the Board has confused its functions under this requirement with the function of the court in relation to findings of fact by the Board in a proceeding for the enforcement or review of a Board order, for there was testimony in the hearings to the effect that the Board made its findings on substantial evidence rather than on a preponderance of the evidence. The trier of facts is always required to make findings on a preponderance of the evidence. An appellate court accepts the findings of the trier of facts if those findings are supported by substantial evidence, because an appellate court is not in a position to weigh evidence, not having heard the testimony, seen the witnesses, observed their demeanor, and not being expert in evaluating testimony in a highly specialized field. Because the court cannot weigh the evidence, however, does not mean that the trier of facts should make findings with an eye to court review rather than with an eye to determining where the truth lies on a preponderance of the evidence before it. Hence, the committee recommends that the Board be required to make findings upon a preponderance of the evidence in the same manner as every other trier of facts.

EFFECT OF BOARD FINDINGS ON COURT REVIEW

Under the present law, the Board's findings of fact are made conclusive on the courts if they are supported by substantial evidence. While it is true that the *Consolidated Edison Case* ((1939) 305 U. S. 197) broadened to some extent the concept of what evidence was deemed substantial, the nature of the controversies which the Board is called upon to decide, such as the determination of an employer's true motive for discharging an employee, are such that the courts ought to be given more power than they now have under the present law to review the Board's findings of fact. Thus an additional standard is prescribed under which the court can overturn such findings. Under the amendments recommended, such findings are conclusive unless they are clearly erroneous, or unless they are not supported by substantial evidence.

DECLARATION OF POLICY

Two minor changes have been made in the wording of the findings and declaration of policy in section 1 of the National Labor Relations Act. First, the statement that the denial by employers of the right of employees to organize and the refusal by employers to accept the procedure of the collective bargaining leads to strikes, etc., has been changed in the amendments recommended to a simple statement that the failure to bargain collectively between employers and employees leads to strikes, etc. In the opinion of the committee the present language of the act constitutes an indictment of employers generally, which is not justified by the facts. The second change made in the language of the findings and declaration of policy by the amendments recommended is the elimination of the statement that it is the policy of the United States to encourage the practice and procedure of collective bargaining. In the opinion of the committee, Congress should do everything in its power to protect the exercise by workers of that right, but should not require the Board to encourage unionization where employees do not want it.

VIOLENCE

Under the amendments recommended, the committee, by changes in the definition of the word "employee," proposes to write into the act the rule announced by the Supreme Court in the *Fansteel Case* ((1939) 306 U. S. 240) with respect to the right of an employee who has engaged in violence or unlawful destruction or seizure of property to be reinstated by order of the Board. If a preponderance of the testimony taken shows that an employee has willfully engaged in these unlawful activities, the Board is to have no power to order such employee reinstated.

CLARIFICATION OF TERM "BARGAIN COLLECTIVELY"

Questions have arisen under the present act as to whether the act compels an employer to enter into an agreement with the representatives of a majority of his employees in an appropriate bargaining unit. The Supreme Court, in the *Jones-Laughlin Case* ((1937) 301 U. S. 1), stated that there was nothing in the act to compel an agreement, and the committee proposes to write into the

act in terms that cannot be misunderstood the rules thus announced by the Supreme Court. "Bargain collectively" is defined as including the requirement that employer meet and confer with his employees or their representatives, listen to their complaints, and make every reasonable effort to compose differences, but is not to be construed as compelling or coercing either party to reach an agreement or to make counter proposals. This definition is in substance the definition announced by the Supreme Court in the *Virginia Railway Case* ((1937) 300 U. S. 515).

STATUTE OF LIMITATIONS

Under the amendments recommended statutes of limitations are provided for in two instances. First, it is provided that no complaint can be issued which is based on a charge of any unfair labor practice which occurred more than 6 months prior to the time such charge was made to the Administrator; second, it is provided that no order for the payment of back pay or other money shall order such payment with respect to a period longer than 6 months. Cases have been brought to the attention of the committee where the decision of the Board has not been rendered until at least 18 months after the case was argued before the Board, and in which the Board has issued an order directing the payment of money during this entire period of time. It is hoped that this provision will act to speed up Board decisions.

EFFECT OF EXAMINER'S INTERMEDIATE REPORT

An amendment recommended by the committee provides that in situations where the case is heard before a single member of the Board or before a trial examiner such member or examiner shall prepare and serve on the parties an intermediate report together with a recommended order, and that unless exceptions are filed thereto within 20 days after service, or within such further period of time as the Board may allow, such recommended order will become the order of the Board. The Board is given power at any time prior to the filing in court for a petition for review or enforcement to modify any such order or any other order issued or made by it.

DEFINITION OF AGRICULTURE

Under the amendments recommended the term "agricultural labor" is clarified by definition. Such term is not defined in the present law, and the Board in the *North Whittier Heights* case has held that employees of farm cooperatives are not agricultural labor. This decision of the Board was affirmed by the Circuit Court of Appeals, and hence an amendment is necessary to exclude from the coverage of the act employees which it was never the intention of Congress to include in that coverage. Hence the committee recommends that "agricultural labor" have the same meaning as in the Social Security Act. This definition was carefully worked out by the Committee on Ways and Means and has been passed upon and approved by both Houses of Congress.

ECONOMICS DIVISION

Under the amendments recommended the Board will be effectively precluded from setting up an economics division. The hearings before the committee indicate that there is no justification whatsoever for the existence of this division, and there will be less justification for its existence under the other amendments which impose on the Board the exercise of judicial functions only.

EXTENSION OF REMARKS

Mr. KELLER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an address by a former Member of this House, Hon. Maury Maverick.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein certain excerpts in explanation thereof.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ANDERSON of Missouri asked and was given permission to revise and extend his own remarks in the RECORD.

Mr. THOMASON. Mr. Speaker, in view of the interest in the progress of the Army Air Corps expansion program, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a radio broadcast between Major General Arnold, Chief of the Air Corps of the Army, and Mr. Fulton Lewis, Jr.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a brief editorial appearing in the *Palladium Item*, of Richmond, Ind., of date of March 4, 1940.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

APPOINTMENTS TO COMMITTEES

Mr. MARTIN of Massachusetts. Mr. Speaker, I submit several privileged resolutions and ask for their immediate adoption.

The Clerk read as follows:

House Resolution 415

Resolved, That BARTEL J. JONKMAN, of Michigan, be, and he is hereby, elected to the following committees of the House of Representatives: Committee on Patents and Committee on Claims.

The resolution was agreed to.

The Clerk read as follows:

House Resolution 416

Resolved, That J. HARRY MCGREGOR, of Ohio, be, and he is hereby, elected to the following committees of the House of Representatives: Committee on Public Buildings and Grounds, Committee on the Territories, and Committee on Invalid Pensions.

The resolution was agreed to.

The Clerk read as follows:

House Resolution 417

Resolved, That FRANCES P. BOLTON, of Ohio, be, and she is hereby, elected to the following committees of the House of Representatives: Committee on Indian Affairs, Committee on Election of President, Vice President, and Representatives in Congress, and Committee on Expenditures in the Executive Departments.

The resolution was agreed to.

The Clerk read as follows:

House Resolution 418

Resolved, That USHER L. BURDICK, of North Dakota, be, and he is hereby, elected to the Committee on Roads of the House of Representatives.

The resolution was agreed to.

REVISION OF THE LAWS

Mr. KEOGH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. KEOGH. Mr. Speaker, I am pleased to announce, on behalf of the Committee on Revision of the Laws, that the fifth cumulative supplement to the United States Code is being delivered to the folding room and placed to the credit of Members. The committee has continued its practice of showing the legislative development of the code by italicizing the new matter and bracketing the deleted portions of those amendments to existing law. Supplement 5 of the code includes all laws passed up to and including the second—special—session of this Congress. The committee also maintains, for the convenience of Members and others, a current classification of public laws enacted during the present session. Inquiries for such information may be addressed to the chairman. The committee is always anxious to receive suggestions and comments from the Members, and from those who use the code, designed to increase the efficiency and effectiveness of it. [Applause.]

EXTENSION OF REMARKS

Mr. HARRINGTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and to include a resolution passed by the legislative committee of the Nebraska State Farmers' Union.

The SPEAKER. Is there objection?

There was no objection.

Mr. ELSTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and to include therein a brief editorial from the Cincinnati Post on the subject of flood defense.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. McLEAN. Mr. Speaker, I ask unanimous consent that today, after the completion of matters on the Speaker's desk and the legislative program of the day, I be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent that at the conclusion of the remarks to be made this after-

noon by the gentleman from New Jersey [Mr. McLEAN] I be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection?

There was no objection.

TERM OF THE PRESIDENCY

Mr. McLEAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. McLEAN. Mr. Speaker, there is much discussion today relative to a third term for the President, and in connection with it attention is directed to the much-discussed suggestion that the President should be elected for a single term and be ineligible to succeed himself. The idea is not new. It was one of the great compromises of the Convention which brought about the adoption of the Constitution and the establishment of our present Government. I have introduced a resolution providing for the necessary amendment to the Constitution to make the change from our present practice of electing a President every 4 years without ineligibility to succeed himself. My resolution is now pending in the Committee on Election of the President and Vice President, and now would seem to be an appropriate time for its consideration and enactment. It would not affect the present situation, but it would anticipate the future.

On the 20th of July 1937 I addressed the House and covered the history of the subject of the term of the President from the beginning of the Government. In assembling the material I had the assistance of the legislative research staff of the Congressional Library; and while allowance must always be made for omissions, you will find in my remarks a very comprehensive study of the subject.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an editorial from the Bakersfield Californian on 147,000 immigrants who came into California in 1939 by automobile.

The SPEAKER. Is there objection?

Mr. RANKIN. Mr. Speaker, I reserve the right to object, which I shall not do, to call the attention of the gentleman from New Jersey [Mr. McLEAN] to the fact that this proposition of one term for the President of 6 years was written into the Confederate Constitution. I am glad to know that leading Republicans have gotten around to reading that sacred document. [Laughter.]

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

NOMINATIONS FOR THE PRESIDENCY TO BE MADE IN MINNESOTA

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. ALEXANDER. Mr. Speaker, contrary to general belief, the Presidential nominations for the Democratic and Republican Parties are going to be decided in Minnesota this summer and not in Philadelphia and Chicago, where most of you assumed the selections will be made. The Chicago and Philadelphia national conventions will be only to confirm action taken and decisions already made in Minnesota the first week in June.

From June 2 to 5 the National Governors' Conference will be held in Minnesota at the request of Minnesota's popular and smart young Governor, and consequently there will be in our State at that time all the best political heads, quantitatively and qualitatively speaking, in the entire United States, to say nothing of the squads and droves of newspapermen.

Will that conference discuss and decide who the Presidential nominees are to be? Knowing Governors and politicians and political writers as we do, the answer is obvious. So Minnesota steals the show and sets the stage for these most important events.

All that is left is to decide which one of our many beautiful and breath-taking summer resorts gets the Governors' conference. Minnesota's efficient adjutant general, Ellard A. Walsh, is to decide, as arrangements chairman, whether the group will go to the Arrowhead country, to Detroit Lakes, Brainerd, Gull Lake, Breezy Point, Grand Rapids, Alexandria, Hackensack, Bemidji, International Falls, or where. We have so many beautiful spots it is indeed hard to choose between them, but any place in Minnesota will inspire these political visitors, as it does everyone who breathes its fresh, pure, invigorating, pine-scented air and views its beauties of forest, lake, and countryside.

WALTER-LOGAN BILL

Mr. BARTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. BARTON. Mr. Speaker, I have asked for this time in order to ask a question of the majority leader. I am receiving a great many letters from my constituents asking about the Walter-Logan bill. I wonder whether the majority leader has decided whether that bill is to come before us for discussion and action at this session.

Mr. RAYBURN. A rule has been granted on that bill, but no time has been fixed for its consideration.

Mr. BARTON. Is it a part of the program that we will probably come to before adjournment?

Mr. RAYBURN. There has been no specific program made out as yet. What we want to do is pass the appropriation bills as fast as they come to the House and intersperse with that matters more or less controversial. As far as general legislation is concerned, there has been no program made.

Mr. BARTON. Would it be fair to say that there is no plan for legislation except appropriation bills at this session of the Congress?

Mr. RAYBURN. Oh, no; not at all.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. JONES of Ohio. Mr. Speaker, I ask unanimous consent to extend my own remarks and include a speech made over the radio last Monday.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MAAS. Mr. Speaker, I ask unanimous consent to extend my remarks by including an article on naval personnel in the magazine Naval Affairs.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and include an editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to extend my remarks and include an excerpt from the Baltimore Sun.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and include therein a speech by Mr. Dan Hallowell on the Bonneville project, delivered on the 28th day of February in Portland, Oreg.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MILLER. Mr. Speaker, I ask unanimous consent to extend my remarks, and include a report on the methods used in the selection of candidates for Annapolis and West Point.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CALL OF THE HOUSE

Mr. RUTHERFORD. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. Evidently there is no quorum present.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 40]

Andrews	Doughton	Kerr	Starnes, Ala.
Barnes	Douglas	Kirwan	Steagall
Bates, Ky.	Englebright	Kleberg	Stearns, N. H.
Beam	Faddis	Maclejewski	Sullivan
Boland	Fish	Mansfield	Sweeney
Buckley, N. Y.	Garrett	Martin, Ill.	Taylor
Byron	Gearhart	Merritt	Wallgren
Camp	Gehrmann	Murdock, Utah	Ward
Clark	Gross	Myers	Wheat
Creal	Hart	Peterson, Ga.	White, Ohio
Cummings	Healey	Pittenger	Wood
Darrow	Hook	Routzohn	Youngdahl
DeRouen	Jarrett	Sabath	
Dies	Jeffries	Sandager	
Ditter	Jenkins, Ohio	Shannon	

The SPEAKER. On this roll call 373 Members have answered to their names, a quorum.

By unanimous consent further proceedings under the call were dispensed with.

EXTENSION OF REMARKS

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to insert my own remarks in the RECORD with regard to water pollution.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. EDELSTEIN. Mr. Speaker, I ask unanimous consent that on the 15th of this month, after the conclusion of the legislative program of the day, I may address the House for 30 minutes on the life and legislative experience of the late Dr. William I. Sirovich.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. LEWIS of Colorado. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and to include therein a statement made before one of the House committees.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HAWKS. Mr. Speaker, I ask unanimous consent to extend my own remarks and include an address by Senator BRIDGES made at Ogden, Utah.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. KILBURN. Mr. Speaker, I ask unanimous consent to extend my own remarks and include a letter from the Secretary of State, Mr. Hull.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. ELLIOTT. Mr. Speaker, I ask unanimous consent that on Monday next, after the legislative program for the day, I may be permitted to address the House for 30 minutes on the subject of the migratory problem in California.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Philadelphia Record.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

INTERIOR DEPARTMENT APPROPRIATION BILL, 1941

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 8745) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1941, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 8745, the Interior Department appropriation bill, 1941, with Mr. COOPER in the chair.

The Clerk read the title of the bill.

The Clerk read as follows:

Salaries: For the Secretary of the Interior, Under Secretary, First Assistant Secretary, Assistant Secretary, and other personal services in the District of Columbia, \$874,950: *Provided*, That in expending appropriations or portions of appropriations contained in this act for the payment for personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, with the exception of the First Assistant Secretary and the Assistant Secretary, the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year, and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed, as of July 1, 1924, in accordance with the rules of section 6 of such act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

Mr. TABER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TABER: On page 2, line 5, after the comma, strike out "\$874,950" and insert "\$689,970."

Mr. TABER. Mr. Chairman, I am offering this amendment with the idea of trying to save a little of the money that the committee has brought in here for the operations of the office of the Secretary of the Interior. That you may know how well based my motion is let me say that the appropriation for this purpose last year was \$545,410. The amount recommended by the committee is \$874,950, an increase of over \$329,000.

There is absolutely no justification for this increase. It is true that they have in this Department probably 150 or 175 employees who are paid from the relief rolls. To put them in with the regular employees will require \$216,000. This added to last year's appropriation would make \$761,000.

There is a useless item in there for propaganda and publicity of \$72,000. There is another item for photographs, \$12,520. There is another item for a power-policy committee—a promotion outfit—\$55,560; another item for a radio section, \$21,660. I have not proposed to take all of that out of this outfit, as I should.

I have only proposed to cut out \$185,000. I have done this because I feel that this office is spending too much money, that there is absolutely no justification for it. When it comes to the point that the operations of a department are such that it must put somebody on the radio with arguments suggested by it every day in the year we are getting to a situation which is intolerable. It is bureaucracy at its worst. It is one of the worst showings that has ever been brought here by any department of the Government. The only way we can ever save America from the ravishment of bureaucracy is by turning down the money which is being wasted upon propaganda falsely to uphold the position these people have taken in raiding the Treasury of the United States. Never can we begin to economize, never can we get anywhere in economizing, unless we stop at the source the propaganda, vicious and improper, and in many cases in violation of the law, that has been going on for several years by this Department. I think it is one of the worst outfits in the Government of the United States, absolutely irresponsible and absolutely without any regard for the law.

I hope this amendment will be adopted. The item is even \$45,000 above the Budget. Let us save a dollar. [Applause.] [Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, it is not unusual for the gentleman from New York to oppose appropriations for the Interior Department.

The first item to which the gentleman appears to object is one of \$216,500, not a new item, not a new policy. This committee is not trying to establish a policy; oh no. Practically every one of these people is on the pay roll, and the gentleman himself is a member of the deficiency committee which made funds available for this personnel on a more or less permanent basis. There is nothing else for us to do except to discharge these people or make an appropriation for them. So much for that. These people are getting their money—and it is no secret—from public-works funds.

Mr. TABER. If the gentleman will yield, I have included in my amendment enough money to continue the employment of these people. It is intended to cut out the vicious propaganda.

Mr. JOHNSON of Oklahoma. The gentleman proposes to cut out \$185,000, yet the item to which he objects so strenuously is a little \$15,000 radio item.

Mr. TABER. It is \$21,660.

Mr. JOHNSON of Oklahoma. Yet his amendment would make a cut of \$185,000. Let me finish my statement. If the gentleman will permit, I did not interrupt him.

The next item to which the gentleman so strenuously objects is the power-policy item. The people are being paid now out of Public Works and it is not proposed to put a lot of additional men or women to work, as has been suggested, but the committee simply lays the cards on the table and proposes to put them on a permanent basis, where they belong.

The next item has to do with the radio service. The gentleman objects to these radio programs. These people, for the most, at least, are now being paid out of emergency funds. May I say to the gentleman that the committee, instead of bringing in a bill above the Budget estimate, this item, like practically every other item in the bill, is reduced. This reduction is between \$25,000 and \$30,000 below the Budget estimate instead of being \$45,000 above the Budget estimate, as the gentleman has suggested.

Mr. TABER. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. I do not yield to the gentleman now. The reason for the apparent increase is due to the fact that we have consolidated the estimate for the power policy committee plan into this, which amounts to \$60,000. That is all there is to it.

Mr. RICH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do not know whether we can eliminate all the items suggested in the amendment or not, but certainly some consideration should be given by the Members of the House to the Secretary's office. May I call your attention to the fact that the Division of Personnel Service has increased 135 percent in 7 years. The number of employees in the Interior Department in 1933 was 19,600. The number of employees today is 47,000. Get that—an increase from 19,600 employees in 1933 to 47,000 employees at the present time in the Department of the Interior, an increase of 135 percent in employment in 7 years. Perhaps the Department of the Interior is not a bit worse than the other departments because the increases in employment have gone up tremendously.

Mr. FITZPATRICK. Will the gentleman yield?

Mr. RICH. I yield to the gentleman from New York.

Mr. FITZPATRICK. How many new activities have been added to the Interior Department during that period?

Mr. RICH. Too many.

Mr. FITZPATRICK. How many in the last year?

Mr. RICH. We took out three and put in four; so the number of employees there involved in the exchange was nominal.

Mr. Chairman, the point I make is that we have added department after department. What did Mr. Roosevelt say before he took office? He stated, "I will consolidate departments and I will eliminate bureaus." Instead of that he has

added more; many, many more. Let us consider the reorganization bill that was passed last year. In that connection he has added over 100,000 employees to the Government pay roll because of the reorganization. This is something the membership of the House ought to think about. The reorganization that Mr. Roosevelt has established has resulted in adding 100,000 employees. An increase of 135 percent in 7 years in the Department of the Interior is entirely too much.

Mr. JOHNSON of Oklahoma. Will the gentleman yield?

Mr. RICH. I yield to the gentleman from Oklahoma.

Mr. JOHNSON of Oklahoma. The gentleman is a very valuable member of this committee and he knows that this bill had been slashed about 20 percent before the committee got hold of it. Will not the gentleman admit in a general way that the committee did a good job in slashing this bill nearly \$3,000,000, making a cut of 20 or 22 percent?

Mr. RICH. I made the statement on the floor of the House that the committee worked hard on the bill, but I could cut this bill \$10,000,000 and it would not hurt our country but would help it.

In the Division of Information we have spent \$21,660. I asked Secretary Ickes about this increase and he stated as follows:

I remember that Mr. Straus, the Director of Information, came in sometime ago and said he would like to put on a dramatization of the Annual Report of the Secretary of the Interior. I told him that he was crazy; that it could not be done in any attractive form. However, in due course he brought in to me a script, which I read with great care. It seemed to me to have great possibilities, and I gave a clearance for it.

When we have men in a department who can convince the Secretary that a lot of the work they do should be dramatized, I say we have too many people in those departments and they are only trying to increase the size and scope of the work of those departments. I think that propaganda of that kind within the Department is vicious and should be stopped. It does no one any good and should be stopped.

Mr. KELLER. Will the gentleman yield?

Mr. RICH. I yield to the gentleman from Illinois.

Mr. KELLER. What meaning does the gentleman get out of the proposal to dramatize this work? What does he understand that to mean?

Mr. RICH. He was talking about dramatizing the report of the Secretary. If the Secretary's report is not intelligent enough to the American people and we have to go out and dramatize it so they will know what they are talking about, then I suggest we pay more attention to our schools so that our people will be educated to understand a report of the Secretary or else have the Secretary of the Interior make a more intelligent report. If we would indulge in a little education along that line we will not need so much expense in the various departments of our Government dramatizing and putting on a department show.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. TABER].

The question was taken; and the Chair being in doubt, the Committee divided, and there were—ayes 73, noes 107.

So the amendment was rejected.

Mr. GOSSETT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GOSSETT: After the period on line 9, page 3, insert the following: "Provided, That no part of the appropriation made available to the office of the Secretary by this section shall be used for the broadcast of radio programs designed for or calculated to influence the passage or defeat of any legislation pending before the Congress."

Mr. GOSSETT. Mr. Chairman, I come not to attack or condemn the Department of the Interior that has done much splendid work. This amendment proposes to protect the Department of the Interior and the Congress from the folly and the danger of political broadcasts paid for out of the public purse.

The section of the bill just read appropriates \$874,950 to the office of the Secretary of the Interior. Included in this appropriation for the Secretary's office are funds for the radio

section of the Information Division of the Department of the Interior. Concerning this radio section, Secretary Ickes, in the hearings on this bill, testified as follows:

The Information Division proper remains as it was, and it has been very successful in serving the bureaus during the past year. There is included in our estimates, however, the transfer of a radio section, consisting of eight persons, having salaries totaling \$21,660, who have heretofore served the Department but been financed by the Public Works Administration.

Then I notice in the report on this bill under increases in contingent expenses an item for radio broadcasting records of \$3,000.

So far I am not complaining. The Department is to be commended for the number of entertaining and educational programs broadcast during the last year. The people of this country are entitled to full and complete information concerning their Government and its many services to them. I hope more and better programs of information and entertainment may be furnished them as time goes on. But all the programs have not been of this character. Several broadcasts have gone entirely outside and beyond the field of education or information. Our able colleague the gentleman from Maryland [Mr. COLE] has introduced in this Congress a bill enthusiastically sponsored by the Department of the Interior which would provide for the absolute Federal control of the oil business of this country, such control to be in the Department of the Interior. This is not the place for, and time does not permit, a discussion of the merits of this Cole bill. Suffice to say, it is highly controversial. In an obvious effort to build up sentiment for this bill, the Department of the Interior through its radio section staged several broadcasts that would rival Orson Welles' melodrama on the Men From Mars. I want to read you some excerpts from these broadcasts, which you will find in the Appendix of the CONGRESSIONAL RECORD on page 1124. On program No. 24, the departmental broadcaster depicts a state of public hysteria, and then follows a series of outcries from a land gone dry of oil:

DOCTOR. I'm a doctor. I must get there at once. A woman is dying.

ATTENDANT. Sorry, Doc. We haven't a drop of gasoline in the station.

(Sounds: Fire siren.)

FIREMAN (shouting). It's the schoolhouse! And we can't move our fire engines.

TRUCK DRIVER (through filter). Listen, Boss, I'm carryin' perishable goods—fruit and vegetables—on this truck. How am I gonna get them there before they spoil?

TICKET AGENT. The Twentieth Century Limited can't leave this station, Madam. You'll have to get to New York by stagecoach.

FARMER (surprised). Well, I'll be doggone. I can't use my tractor. I can't plow my farm.

HUSBAND (ordering wife). Get the children. We'll leave the house and find a restaurant where they cook with a coal stove.

DISPATCHER (droning via radio). All airplanes are grounded. All airplanes are grounded.

BOSS. You men needn't report to work tomorrow. This plant's shutting down. Can't run our machines without oil.

(Sound: Telegraph key, in and under.)

TELEGRAPHER. S O S! S O S! Steamer *America* calling. Stopped in midocean. One thousand aboard. Send help at once.

MAN. Get some candles, Martha, or we won't have light.

ADMIRAL (dictating). To the Navy Department: Fleet unable to leave port for Pacific coast as ordered. [Fade.] Guns useless without oil. Waiting further word on—

Then on program No. 26 the departmental narrator says:

I'm speaking for the Department of the Interior, principal guardian of your natural wealth; it wouldn't let me say anything that wasn't so.

This is followed by a statement that all of our known oil reserves will last only about 13 years; certainly not longer than 17 years. He then appeals to an imaginary Mrs. Murphy to see her Congressman.

Doubtlessly, oil and gas have been and are being wasted. Certainly we should conserve all of our natural resources, but no department of our Government has any right to spend the people's money in trying to sell the people anything. To present by radio at Government expense an argument in behalf of pending legislation is bad; to use misinformation in such an argument and for such a purpose is intolerable. [Applause.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, I ask unanimous consent that the amendment be again read. I have not heard the modified amendment and I should like to know just exactly what it is. It may be that we can accept the amendment.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

There was no objection.

The Clerk again read the amendment.

Mr. JOHNSON of Oklahoma. May I say for the benefit of the Committee that certainly no member of our committee has any desire that any radio program be put on the air for the purpose of influencing legislation, either for or against any proposal. I did not hear the one particular program to which the gentleman so strenuously objects. I did hear a number of programs, and they were excellent, entertaining, and certainly not objectionable.

It was my understanding that the original amendment to be offered was to eliminate the entire item for radio programs. I am glad that the modified amendment does not attempt to do that. Personally, I see no objection at all to the amendment. I have not discussed the matter with all members of the subcommittee, but I believe we could accept the amendment as I do not think it adds to or takes from the present law.

Mr. PATRICK. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Alabama.

Mr. PATRICK. If this amendment is put into effect, how will it be handled? Who will have the say? How could it be handled without having a board or some employees in addition to those covered by the pending measure to determine these questions? Then you would run up against the very proposition we are up against now, about being driven by some sort of regimentation.

Mr. JOHNSON of Oklahoma. May I say to the gentleman that the amendment really does not amount to anything. The present law is a good deal stronger than the amendment, and to be perfectly frank, that is the reason I am willing to accept it. Of course, the General Accounting Office has the final say as to what could be or could not be used. This really does not amount to anything, but if it will make the proponents feel better and if they will go along on the remaining provisions we will be glad to accept it.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Pennsylvania.

Mr. RICH. It certainly is not going to hurt anything and it might do a lot of good. I believe it ought to be adopted.

Mr. JOHNSON of Oklahoma. Would the acceptance of the amendment help the gentleman to go along with the bill, then?

Mr. RICH. I will certainly go along with this amendment.

Mr. JOHNSON of Oklahoma. The committee has no objection to the amendment.

Mr. COLE of Maryland. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the distinguished gentleman from Texas [Mr. Gossett] has referred to legislation bearing my name as inspiring the broadcasts to which he has specifically referred. I am glad the Committee has seen fit to accept the amendment, and I shall comment very briefly upon it.

The truth is that during the long and tedious hearings the committee of this House, of which I have the honor of being chairman, was conducting in the investigation of the petroleum industry, it developed through one of the witnesses that such broadcasts were being conducted under the auspices of the Interior Department. The committee condemned the broadcasts said to specifically refer to legislation before us, at that time, and does now. Because of that testimony I requested the Department of the Interior to send me some facts relative to the work which they were doing under their radio set-up costing only \$15,000 a year. I was truly amazed to find the wonderful service they are rendering. I

found also that some young man associated with the problem, overly zealous as to his interest in the petroleum-conservation proposition and the prevention of waste thereof, had gone beyond what the Secretary of the Interior himself desired. With the permission of the Chairman, I shall insert as a part of my remarks, a list of the leading stations throughout this country—105 in all—which are now carrying the programs of the Interior Department from New York, with professional actors paid by the broadcasting companies; also the caption of the many programs they have sponsored dealing with all the interesting and important work before this great Department. The more I read these reports the more I wonder if the reason Secretary Ickes is criticized as much as he is is because he is doing something all the time. Whether you like him or not, you must admit the efficiency of the important personnel under him. He is a man who does things, and with few exceptions, does them well. I am sure it will be interesting to the Members of the House to know what their programs contemplate in the future, and finally, the public reaction to the program What Price America, sponsored by the Department of the Interior.

Mr. Chairman, the broadcast referred to, and according to the remarks of my good friend, the distinguished Member of this House from Texas, referring to the legislation he has mentioned, has no influence upon the committee dealing with this problem whatsoever. We have about concluded the general survey of this matter, which is of such vital concern to a great majority of the Members of this House, and our report will be made within the time required therefor. As the gentleman from Oklahoma [Mr. JOHNSON] has said, the law already covers such a situation as has been described here, but nevertheless this amendment might seem to curtail in the future overstepping the bounds and privileges extended this Department. I do not think it necessary, but it might do good as a reminder.

Herewith is a list of subjects covered in the 52 broadcasts of What Price America program referred to in this discussion: Earliest Conservation; Ohio Land Co.; Lewis and Clark; The Land Office; Mormon Irrigation; Discovery of Gold; Yosemite National Park; Bureau of Mines; Major Powell—The Geological Survey; Yellowstone—Its Origin; Central Valley; The Grazing Problem; Imperial Valley; John Muir and Our National Parks; Monongah Mine Explosion and the Bureau of Mines; Olympia National Park; Helium; Bureau of Mines During the World War; The Reclamation Program; National Monuments; Our Indians; Fire Prevention in the Nation Parks; Boulder Dam; Oil—Historic Background; Hot Oil; Wildlife; Romance of Silver; History of Coal; Fish; Inventory of Our Natural Resources; This Very Moment—Fire Prevention; Plug in the Tub—Boulder Dam; Central Valley; Navajo; Grand Coulee; Oil—13 Years; Wildlife Today; Fish—Great Lakes; Grazing—Taylor Grazing Act; Field Services of Interior Department; Coal—Bituminous Coal Division; Boulder Dam; What America Has To Be Thankful For; Conservation Versus Waste; Strategic Minerals; Conservation and Democracy; Special Christmas Program; Parks—Yosemite; Puerto Rico; Grand Canyon; Bonneville Dam; résumé ended January 27, 1940.

These broadcasts have been presented over the following prominent stations throughout the country from New York City by professional actors supplied and paid for by the broadcasting company:

5 p. m.: WABC, New York; WOKO, Albany; WCAO, Baltimore; WEEI, Boston; WKBW, Buffalo; WKRC, Cincinnati; WGAR, Cleveland; WJR, Detroit; WDRC, Hartford; WCAU, Philadelphia; WJAS, Pittsburgh; WPRO, Providence; WFRL, Syracuse; WJSV, Washington, D. C.; WBNS, Columbus; WHIO, Dayton; WHEC, Rochester, N. Y.; WORC, Worcester; WPG, Atlantic City; WABI, Bangor; WCHS, Charleston, W. Va.; WESG, Elmira; WMMN, Fairmont; WHP, Harrisburg; WPAR, Parkersburg; WBRK, Pittsfield; WGAN, Portland, Maine; WMAS, Springfield, Mass.; WNBX, Springfield, Vt.; WIBX, Utica; WWVA, Wheeling; WBRY, Waterbury; WDNC, Durham; WBIG, Greensboro; WMAZ, Macon; WDBJ, Roanoke; WTOG, Savannah; WSJS, Winston-Salem;

WMBR, Jacksonville; WDBO, Orlando; WDAE, Tampa; WJNO, West Palm Beach; CKAC, Montreal; CFRB, Toronto.

4 p. m.: WBBM, Chicago; KRNT, Des Moines; KMBC, Kansas City, Mo.; WHAS, Louisville; KFAB, Omaha (Lincoln); KMOX, St. Louis; WEOA, Evansville; WISN, Milwaukee; WMBD, Peoria; WFAM, South Bend; WIBW, Topeka; KFH, Wichita; WGST, Atlanta; WAPI, Birmingham; WDOD, Chattanooga; WNOX, Knoxville; KLRA, Little Rock; WREC, Memphis; WCOC, Meridian; WSFA, Montgomery; WLAC, Nashville; WWL, New Orleans; WCOA, Pensacola; KRLD, Dallas; KTRH, Houston; KOMA, Oklahoma City; KTSA, San Antonio; KWKH, Shreveport; KTUL, Tulsa; WOC, Davenport; WKBB, Dubuque; WTAQ, Green Bay; WMFG, Hibbing; WKBH, La Crosse; KGLO, Mason City; WCCO, Minneapolis; KSCJ, Sioux City; WHLB, Virginia.

3 p. m.: KVOR, Colorado Springs; KLZ, Denver; KSL, Salt Lake City; KFBB, Great Falls; KGVO, Missoula; KOY, Phoenix; KGAR, Tucson; WGGM, Albuquerque.

2 p. m.: KOH, Reno; KROY, Sacramento; KARM, Fresno; KNX, Los Angeles; KOIN, Portland; KSFO, San Francisco; KIRO, Seattle; KFPY, Spokane; KVI, Tacoma.

5 p. m. (short-wave stations): W2XE, New York; W3AU, Philadelphia; W1XAL, Boston.

See newspapers for time: KHBC, Hilo; KCMB, Honolulu.

A special award was given this program when it was selected by Max Wiley as the best radio series presented by the Government and cited in his book *Best Broadcasts of 1938 and 1939*, as follows:

For its sustained dramatic interest, for its power to transport the listener to the scene, for proper subordination of informative content to entertainment value, and for accuracy of research, the series *What Price America* represented the outstanding radio effort of the United States Government last year.

It was also cited as "the most popular adult educational program" by the Women's National Radio Committee, comprising more than a score of national women's organizations.

Some estimate of the public reaction to the *What Price America* series might be gathered from the following:

A total of 137,252 requests for conservation literature—the *What Price America* booklet—have been answered by the radio section in connection with this series.

While the great majority of the requests did not reveal the profession or interest of the person making request, the following were identified in the numbers indicated:

Officials of adult educational organizations.....	431
Officials of automobile and travel clubs.....	25
Businessmen.....	641
Officials of colleges and universities.....	531
Library officials.....	127
Principals of grade and high schools.....	232
Professional conservationists (State officials, editors, writers, etc.).....	250
Professional people (doctors, lawyers, engineers, etc.).....	1,004
Students (who indicated material was being used in class work).....	998
Teachers.....	1,244
Youth organizations officials (Boy Scouts, Girl Scouts, etc.)..	180

As to current activities of the radio stations in question, I am advised as follows:

The radio section is now engaged in the research and preparation of two new series of programs.

1. This, *Our America*, a series to be presented on the red network of the National Broadcasting Co.

2. A second series of *What Price America*, developed along entirely new lines, and the outline of which is attached.

Facilities of the studios and services of the personnel, are continually employed not only with departmental activity, but in servicing the various outside agencies of government who request help and assistance. Currently there is being produced from the studios a coast-to-coast series for the Department of Labor, the episodes of which are also being electrically transcribed.

An extensive electrical duplicating job is being performed for the Music Division of the Library of Congress; a series of network broadcasts with which the Library of Congress is identified, are being recorded; planning and preparation is under way for a series of electrical transcriptions to be made for the Bureau of Fisheries to stimulate fish consumption; an extensive transcription job is being done for the Work Projects Administration; a series of radio programs is in process of preparation for the United States Travel Bureau, to stimulate travel in the Americas; a series of broadcasts to promote interest and travel in the national parks this summer is

in process of being placed; a series of educational broadcasts to be based on Indian cultures and backgrounds, to be used in the schools, is being contemplated by the Bureau of Indian Affairs. Technical assistance of the Radio Section staff is being asked for an international broadcast from Mexico City, in connection with a Western Hemisphere Indian conference, to be held in April; electrical transcriptions on wildlife are being contemplated by the Biological Survey and the American Wildlife Institute; a series of electrical transcriptions are in process of being prepared for the Rural Electrification Administration; the regular series of broadcasts presented by the Office of Education are being electrically transcribed; and a series of recordings are being planned by the Social Security Board, for clarifying problems of personnel in their various field offices.

I am glad to have this opportunity to bring this information to the attention of the House, because I know the membership will be interested. Certainly I have been, and within proper limitations I think you will agree they have been performing a splendid service and should be permitted to continue to do so. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The amendment was agreed to.

Mr. NICHOLS. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I ask unanimous consent to proceed out of order.

The CHAIRMAN. The gentleman from Oklahoma [Mr. NICHOLS] asks unanimous consent to proceed out of order. Is there objection?

There was no objection.

Mr. NICHOLS. Mr. Chairman, I am frank to say that I hesitate to take the floor at this time for the purpose for which I have sought the floor, but I feel sure that before I have concluded my remarks the Members will agree with me that I am justified in so doing.

Many Members know, if not all of them, that there is pending before a subcommittee of the District of Columbia Committee a proposition as to whether or not the District of Columbia shall be given the right of suffrage. I happen to be a member of that committee. Yesterday in a newspaper in Washington a rather unfair attack, I think, was made on me by reason of my stand on certain matters pertaining to suffrage for the District, and at this point I want to observe that it seems strange to me—so strange that, insofar as the newspapers of the District of Columbia are concerned, one is not privileged to take a stand contrary to the opinion of the papers of the District without having the District immediately charge him with some unholy motives.

I am too smart to jump on the newspapers. I want no argument with them. They have always got another edition coming out on you and they will have the last word. So, of course, if I had an argument with the newspapers, I would lose that argument; but now I want to refer to an article which appeared yesterday in the *Times-Herald* under the name of a very eminent and learned writer, Mr. Frank C. Waldrop, and, in discussing this matter, he had this to say:

To escape threatening damage to prestige, perhaps even loss of control in the House, the Grant administration rushed through the present form of District of Columbia government prohibiting suffrage to white or black. At that time Negroes were 33.6 percent of the District of Columbia population.

They were a difficult 33.6 percent, naturally, and needed patience, tolerance, and time to grow into the community. They got none of those. Instead, they were made the butt of every "confidential" explanation why Congress could not return any suffrage at all.

"Why, you wouldn't want a Negro mayor in the Nation's Capital, would you?"

That was the line the city patronage soppers used then, just as they use today. No later than 2 days ago the acting chairman of the House subcommittee considering District of Columbia suffrage let it be known that he is not against votes, but he is worried about the Negroes.

At that point I say this: Insofar as this question of suffrage has ever been considered by me, the matter of the Negro question has never been mentioned by me at any time, and when this distinguished gentleman says that 2 days ago I made any remark about the Negroes, or about the Negro question, insofar as it applied to suffrage for the District, the gentleman is making a misstatement of fact. Further, I think that the newspapers of the District could well be busily engaged about the matter of attempting to keep down racial

hatred rather than to incite it through articles like this. [Applause.]

Mr. SECCOMBE. Mr. Chairman, will the gentleman yield?

Mr. NICHOLS. Let me finish and I shall yield later if I have time. I quote further from the gentleman's article:

The Honorable JACK NICHOLS, of Eufaula, Okla., his name is. The Honorable Jack isn't worried about any Negro mayor. He is worried about the prospect that his string of relatives on the pay roll of the District government would be fired if he lost his patronage control.

Meaning what? Why, the gentleman charges that I have a string of relatives on the District pay roll, and that the reason I am against suffrage for the District is because they will lose their jobs, if suffrage were granted.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. NICHOLS. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. NICHOLS. Mr. Chairman, the real truth of the matter is that I have not a single relative, of any degree removed, on the District pay roll. I have a sister who is employed by the Work Projects Administration, who works in the District of Columbia, of whom I am tremendously proud, and who is doing a swell job, but she does not, nor never has she, worked for the District of Columbia. Not only that, but 4 years ago I recommended a boy for a position in the District of Columbia government.

He was put to work and has been there ever since. Besides him, I have never had man, woman, or child employed by the District government upon my recommendation. Is this fair? Of course, it can only be done for one thing—in an attempt to injure me. Where? Here? Oh, no; at home. For what purpose? To scare me into submission. I do not scare easily. [Applause.] I merely ask my learned friend, the author of this story, that in the future he write anything about me that he chooses, but please confine it to the truth and I shall not quarrel with him. I cannot help but think that this matter of charging me with loading the District pay roll with patronage is a deliberate misstatement of fact.

Mr. SHEPPARD. Mr. Chairman, will the gentleman yield?

Mr. NICHOLS. Yes.

Mr. SHEPPARD. The gentleman would not have his colleagues in the House believe that for a moment he wanted to restrict the great privilege of the civil liberties which the gentleman apparently exercised?

Mr. NICHOLS. Oh, no; but I wish I were accorded the same liberty.

Mr. SECCOMBE. Mr. Chairman, will the gentleman yield?

Mr. NICHOLS. Yes.

Mr. SECCOMBE. Mr. Chairman, I am a member of the District Committee, and I commend the gentleman from Oklahoma [Mr. NICHOLS] for his attitude on suffrage. He has always had an open mind upon it. I agree with his course, because this same columnist made about the same attack toward me some weeks ago. I wrote to him and told him to print my words in their entirety. He never made a reply. I agree with the gentleman from Oklahoma wholeheartedly in what he has said, and I commend him for his attitude in the hearings he held in giving the question of suffrage fair hearings.

Mr. NICHOLS. I thank the gentleman and shall say just one other thing. I was sent word yesterday morning that if I did not change my attitude on this matter, a newspaper owner of the District of Columbia was going to send people into my district to attempt to defeat me. I shall call the name of that person if it is necessary. At the moment I choose not to, but if challenged I would be very happy to supply it. I thank you. [Applause.]

The pro forma amendment was withdrawn:

The Clerk read as follows:

DIVISION OF INVESTIGATIONS

For investigating official matters under the control of the Department of the Interior; for protecting timber on the public lands, and for the more efficient execution of the law and rules relating

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to the cutting thereof; for protecting public lands from illegal and fraudulent entry or appropriation; for adjusting claims for swamplands and indemnity for swamplands; and for traveling and other expenses of persons employed hereunder, \$470,000, including not exceeding \$40,000 for personal services in the District of Columbia; not exceeding \$52,500 for the purchase, exchange, operation, and maintenance of motor-propelled passenger-carrying vehicles and motorboats for the use of agents and others employed in the field service. The Secretary of the Interior shall include in his annual report a full statement of all expenditures made under authority of this paragraph.

Mr. TREADWAY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I ask the indulgence of the committee for a brief period to make reference to an item further on in this bill, namely, the Bureau of Fisheries.

I am particularly interested in that Bureau because it has been doing most excellent work in my district, as well as throughout the country. There is a Federal hatchery in a little village at the southern end of my district called Hartsville. There has been a small appropriation made by the Department for the improvement of the Hartsville hatchery. I find by building modern ponds no more water is being used in propagating fish to the extent of 300 times as many as formerly was done, and that makes just that much more distribution for the benefit of the sportsmen not only of Massachusetts, but of adjoining States.

I am informed there are in the whole country 105 hatcheries. Of those, 90 are for the benefit of sportsmen and 15 are commercial hatcheries. Ten of the commercial hatcheries are salt-water hatcheries and are entirely commercial. The other 5 are part commercial, as I understand it, and part for sportsmen as well.

The increase of fingerlings in those Government hatcheries today means a distribution of fish throughout the country for the benefit of our people, particularly the sportsmen throughout the country. So you can see there is a very general use coming from the propagation of fish through these hatcheries and great increase in the outdoor life.

My experience with the particular hatchery to which I am referring indicates that the type of employees in the Bureau of Fisheries is very high. I am surprised that the Government can secure the services of such able men as they seem to have at the salaries paid. I am familiar with one or two other hatcheries as well. It shows the interest in the actual scientific work of the hatcheries themselves on the part of the employees.

Mr. MURDOCK of Arizona. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. Yes; I yield to the gentleman from Arizona.

Mr. MURDOCK of Arizona. I want to confirm what the gentleman has just said with regard to the high type of employees connected with this work, and more particularly with regard to the high type of citizens who favor just this program. Some of the ablest men in the country, high officials of Government, business and professional men, and civic leaders, who are sportsmen, have written to me just to this same point—that we ought to do more to encourage this sort of wildlife for the benefit of sportsmen and for the health of our people generally. These are the men who have contacted me favoring this program. I know the rank and file of our people favor it without writing me.

Mr. TREADWAY. I thank the gentleman, and I thoroughly agree with his statement.

Further than that, the interest of those very men is producing a much larger number of sportsmen as a result of the establishment of fish clubs. We have sportsmen's clubs throughout my district. Practically every town has a sportsmen's club. That means for better citizenship and greater enjoyment of the great outdoors and recreational features of our communities. Of course, New England is much more thickly settled than the district from which the gentleman from Arizona comes.

Perhaps it would not be out of place to call to the attention of the House a general statement in connection with this matter.

Referring to the amount recommended by the Appropriations Committee for the maintenance and operation of fish-cultural stations, Bureau of Fisheries, Department of the Interior, I note the following:

Limitation of salaries in the field force, \$464,690.

Operation and maintenance of fish-culture stations, including travel and distribution, \$383,250.

Construction of new stations in Pennsylvania, Oklahoma, Arkansas, and Mississippi, \$75,000—

Making a total recommended by the committee of \$922,940.

I want to call attention to the item of \$383,250 for the operation and maintenance of the stations, including travel and distribution. By "distribution" is meant that at a hatchery such as the one I speak of, where one or more trucks are provided by the Government, the fish are actually delivered where the sportsmen want them to be delivered, rather than the sportsmen being called upon to travel long distances and go to the hatcheries themselves.

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. TREADWAY. This distribution means that the sportsmen's clubs throughout an area will take the contents of the trucks or cans of fish brought to them by the hatchery officials and keep them perhaps for 6 months or a year in smaller ponds, rather than distributing them through the brooks, and in that way increase the quantity that are actually available for the sportsmen later on. In other words, they mature beyond the fingerling stage before being actually put into the brooks or ponds for the sportsmen to reach, which, of course, is a very excellent thing for the increased production, as well as for the increased possibilities of pleasure for the sportsmen.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. I yield to my friend from Mississippi.

Mr. RANKIN. I will say to the gentleman from Massachusetts that certainly the most highly advertised fish hatchery in the world is in my home town of Tupelo, Miss. I find there, and I believe it is the same in other hatcheries, that they not only haul these fish out in trucks occasionally but they ship them in cans and lay them down at the lake or pond or stream where the receiver wants to use them. These are distributed at Government expense to those who apply for them.

Mr. TREADWAY. That is exactly in conformity with what I was endeavoring to say.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. I yield.

Mr. CASE of South Dakota. The fact that the gentleman from Mississippi is interested in names is evidenced by his inquiry the other day with respect to how Hot Springs got its name. The fish hatchery in my district is named Spearfish. The gentleman, of course, would have no difficulty in recognizing how it secured its name.

Mr. RANKIN. By the way, I want to say to the gentleman from South Dakota that I understood the other day our ducks had gone up there during this cold weather. I hope he returns them now since the weather has cleared up. [Laughter.]

Mr. TREADWAY. Mr. Chairman, with reference to the general benefit of the fish-cultural appropriation the following figures, I am sure, will be interesting.

During the fiscal year 1941, 11 new fish-cultural stations will be operated, for which the committee is allowing an increase over the 1940 figure of \$16,060. I note that the bureau's facilities have been greatly expanded over 1940, not only by the establishment of new stations but also through increased facilities covering pond construction and modernization of the stations for the purpose of rearing the small fry to larger fingerling sizes for distribution. This naturally requires a greater expenditure for fish food and the bureau's request for an increase in this item of \$37,500 has been reduced to \$8,000.

To show you why an increase in the fish-food item is needed, during the fiscal year 1938, 10,723 applications for fish were received by the Bureau. In 1939, 12,585 applications were received. To supply these applications required an output of over 8,000,000,000 fish and eggs. Of this total, 84,400,000 were fingerling fish. These fish were produced at approximately 90 game-fish hatcheries. It has been estimated by reliable authorities that there are 15,000,000 anglers in the United States, and that during the past year they spent approximately \$500,000,000 for fishing tackle, accessories, and other incidental expenses in connection with a fishing trip.

Never in the history of the Bureau have the demands been so great for game fish for stocking purposes. This may be ascribed, in part, to a large number of reservoirs and lakes which have been established throughout the country through the use of emergency funds.

If the people of this country, living some distance from the sources of commercial fish—such as the Great Lakes, Pacific and Atlantic Ocean, are to be given fresh fish, the Bureau of Fisheries must maintain the streams through an adequate stocking program, which requires the production of larger fingerling fishes, and more funds for fish food for their production. So, it will be seen that this activity is well worth the expense that is involved.

Mr. RANKIN. Mr. Chairman, I congratulate the gentleman from Massachusetts [Mr. TREADWAY] on his coming around to our way of thinking on this question of fish hatcheries.

Mr. TREADWAY. I preceded the gentleman, I might say.

Mr. RANKIN. I understand the gentleman preceded me on this floor, but his education began 39 years ago, when one of my distinguished predecessors, Hon. John M. Allen, better known as Private John Allen, made the most outstanding address on fish hatcheries ever made in this body, and one that literally immortalized him.

It resulted in the creation of the fish hatchery at Tupelo, which in turn has resulted in making Mississippi the leading bass State of the Union, as I am informed by the Bureau of Fisheries.

I have signed more fish applications, probably, than any other man in either House of Congress because of the operation of this fish hatchery at Tupelo; and, for the amount of money spent on it, I know of no enterprise that has been worth more to the masses of the people of that area. I am not talking about the sportsmen particularly, for our sportsmen can go to the Gulf coast where fishing is really a luxury, but almost every farmer in the district, it seems to me, now has a small pond or a small lake that he has stocked with fish, either bass, bream, or crappies from this fish hatchery.

Here is a record of the proceedings on that day, February 20, 1901, when this Tupelo hatchery was established, as a result of Mr. Allen's address:

Mr. ALLEN of Mississippi. Mr. Chairman, I ask unanimous consent to return to page 45 of the bill, and after line 20 insert the following amendment, which the Clerk will read; and then I ask unanimous consent for 20 minutes to speak to that amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

"Page 45, at the end of line 20, insert 'for the establishment of a fish hatchery and fish-culture station at the town of Tupelo, State of Mississippi, \$20,000.'"

The CHAIRMAN. Is there objection to returning to this paragraph for the purpose of considering the amendment?

There was no objection.

The CHAIRMAN. Is there objection to granting to the gentleman from Mississippi 20 minutes to discuss the amendment? [After a pause.] The Chair hears none.

Mr. ALLEN of Mississippi. Mr. Chairman, I do not deem it necessary to take up 20 minutes' time of this Committee to pass this amendment, but as this fish hatchery is to be established at Tupelo, and I find among some people in the country—even some newspapermen, who are supposed to impart information to others, and some gentlemen who have been elected to Congress, and who tell me that they have not only been to school but gone through college—so much ignorance about Tupelo that I think I ought—in justice to them, not to Tupelo—to enlighten them some on this subject. [Laughter.]

If I were willing to avail myself of all the traditions and many well authenticated but not absolutely accurate historical suspicions, I might invest this subject with much more historical and romantic interest. But I propose to confine my remarks to well-authenticated facts, ignoring such traditions, believed by many of

our people to be true, as that when Christopher Columbus had his interview with Ferdinand and Isabella of Spain, that in his efforts to persuade them to back him in his expedition that led to the discovery of America, he assured them that an all-wise Creator, creating a world like this, was bound to have made somewhere near its center such a place as Tupelo. [Laughter.]

The first authentic account we have of the section of country that will one day be included in the corporate limits of Tupelo is that the great Indian chief, Chicksa, from whom that great and warlike tribe, the Chickasaw Indians, took its name, was west of the great Mississippi River, and that he, with his followers, followed a pole guided and supported by invisible hands across the Mississippi River to the vicinity of Tupelo. There, we are informed, the pole stopped, stood upright, planted in the ground, and there the Chickasaw Indians made their home. No people, Mr. Chairman, were ever directed by a wise Providence to a fairer land. 'Twas in the rolling woodland just north of one of the most beautiful prairies on which the eye of man or beast ever rested. The country abounded with all sorts of game, the streams were full of fishes, and on this continent there was no more enticing place for this poetic race of the forest. Here the Chickasaws grew to be, as they are to this time, one of the greatest and most powerful of the Indian tribes.

In 1513 the knightly Ponce de Leon landed upon the coast of Florida, and perverted history has it that he started out to look for the fountain of youth and limitless gold fields, when in truth and in fact he really started to look for Tupelo. [Laughter.] You are all familiar with the disaster that overtook his expedition. Later, in 1540, the great and adventurous discoverer, Hernando de Soto, landed his expedition on the coast of Florida, and finally succeeded in reaching and discovering for the first time by a white man Tupelo. [Laughter.]

Here he stopped in the midst of the Chickasaws until attacked by them and driven west to what is now the city of Memphis, where he discovered the great Mississippi River.

The Chickasaws were then left in peaceable possession, so far as the white man was concerned, of this beautiful section for nearly 200 years, when, in 1736, Bienville, with his expedition, came up from Florida, and D'Artaguet from the Illinois, attempted to meet and take from the Chickasaws what is now Tupelo. D'Artaguet got there before Bienville and was defeated by the Chickasaws. He and almost all of his expedition perished at their hands. Bienville arrived later, was also defeated and driven back, with great loss to his expedition; and now, in laying out and grading avenues and boulevards for Tupelo, the bones, spurs, weapons, epaulets, etc., of the slain of these ill-fated expeditions are plowed up. [Laughter.]

This is something of the early history of the place about which we find so much ignorance. My colleague, General Catchings, told me not many days ago that some newspaperman had asked him if there really was such a place as Tupelo. [Great laughter.]

I do not assert that all of these historical events to which I have referred took place immediately in the town of Tupelo, but they were in that vicinity and were on territory that we expect to have incorporated into the city some day. To come down to a later period, those of you who know anything of the history of your country will remember the contentions and contest that lasted for many years between the French, English, and Spanish Governments for the ownership of the Mississippi territory. I am informed by those familiar with the real designs of those great nations at that time that the real motive of all of them was the ownership of Tupelo. [Great laughter.]

Finally, the United States, appreciating the importance of the position, took advantage of their dissensions and acquired Tupelo. [Renewed laughter.]

About the year 1848 it became a matter of great concern to the great Northwest to secure a market for their products, so they gave aid and encouragement to the building of the northern end of what is now the Mobile & Ohio Railroad. The city of Mobile, on the Gulf, recognizing also the great advantages of direct connection with Tupelo, helped along this enterprise, and the road was built from Mobile to Tupelo. [Laughter.]

Everything went on very well until about 1861, when the South concluded to secede from the Union. I am reliably informed that when Horace Greeley and others sought Mr. Lincoln and asked him to "let the wayward sisters depart in peace," he shook his head and said, "No; this secession takes from the United States Tupelo [laughter], and we will not submit to it." And it was to rescue to the Union this town that brought on the war. [Renewed laughter.]

The armies of the Union were first directed against the capital of the Confederacy at Richmond, Va., but some obstructions were thrown in the way of that army at Bull Run, and they were persuaded to return to Washington. Another great army was then marshaled under the command of General Grant, who landed at Pittsburg Landing, on the Tennessee River, and began his operations against Tupelo. [Laughter.]

Gen. Albert Sidney Johnston and myself met General Grant's army at Shiloh [laughter], and for most of the first day we had a real good time with them, and but for General Johnston being killed and me being scattered on the evening of that day there is no knowing what might have happened or how the history of this country might have been changed. [Great laughter.]

Suffice it to say I retired on Corinth, and when we were there, sorely pressed, President Davis ordered General Beauregard to fall back to Tupelo and there make a great and desperate stand for the life of the Confederacy. And it seems that Generals Grant and Halleck were so much impressed with the dogged determination of

the Confederate Army to defend Tupelo to the death of the last man that they turned away in other directions. [Laughter.] Later, General Sturgis started from Memphis with a well-equipped army with a view of capturing Tupelo and breaking the backbone of the Confederacy. But on the road down there, when he had gotten within a few miles of Tupelo, General Forrest, that great cavalry commander, appreciating what the loss of Tupelo would mean to the Confederacy, met Sturgis at Brices Crossroads, took from him all of his artillery and wagons, sent him back to Memphis without an organized company and with the remnant of his army in about one-fourth of the time that had been consumed by forced marches in going down.

But Mr. Lincoln seemed never to have lost sight of the importance of Tupelo to the Union, and he marshaled another army under that able commander, Gen. A. J. Smith, and started them to capture Tupelo. Gen. Stephen D. Lee and General Forrest, with their commands, were sent to intercept him, but in maneuvering for positions General Smith got between Forrest and Lee and Tupelo and succeeded in capturing the town; and in an effort to dislodge him from there the desperate and bloody battle of Harrisburg, which is in the suburbs of Tupelo, was fought, in which nobody had any decided advantage, but General Smith evacuated the town and went back to Memphis. But the very fact that Tupelo had fallen seems to have broken the spirit of the Confederates, and we never did much good after that. [Great laughter.]

You will find, Mr. Chairman, in the Congressional Library a book the title of which is "Tupelo." It was written by a northern Presbyterian preacher and school teacher, who happened to be down in that section when the war began. I remember him very well. This book treats of his trials and tribulations about Tupelo, where he was arrested, imprisoned, and would have been shot but for his timely escape from prison; and, as I remember the substance, as he puts it, of his offense was a suspicion that he entertained secret doubts as to the divine origin and right of African slavery.

After the close of the war, when we had returned to our peaceful avocations, one of our brightest and most far-sighted young men, having in mind the great future as well as the great past of this town, settled in Tupelo, and afterward became a Member of this body and is now about terminating a great career of 16 years here. What this Nation and this House owes to Tupelo for this contribution I leave for others to say. My modesty forbids my speaking of it. [Laughter.] Some 15 years ago Kansas City and Memphis, appreciating the fact that if they ever hoped to do any good as cities they must have direct connection with Tupelo, built a railroad from Kansas City, through Memphis, to Tupelo, Birmingham, realizing that with all of its marvelous resources they could never be developed and properly distributed without direct railroad connection with Tupelo, saw to it that the road was built from Birmingham to Tupelo.

Mr. Chairman, during the discussion on the river and harbor bill in this House recently I heard so many statistics as to the tonnage of the various cities that were seeking appropriations in that bill that it stimulated me to inquire into the tonnage at Tupelo, and I find that during last year there were about 4,000,000 tons of freight passed through Tupelo. It was only the other day you saw in great headlines in all of our newspapers that the Southern Railroad had purchased the Mobile & Ohio Railroad, running from St. Louis to Mobile, through Tupelo.

The president of the Southern road was in Washington a few days later, and I met him for the first time, and in a conversation I had with him I gathered the reason for this purchase. It was that the Southern system had already about 7,000 miles of railroad, which had cost them hundreds of millions of dollars; they found this great system, after all this expenditure, practically useless to them, because they had no direct connection or terminal facilities at Tupelo. They therefore spent many millions more for 900 miles of railroad that would take them into Tupelo and give them good terminal facilities there. [Great laughter.]

Many of you gentlemen have never been to Tupelo. I hope none of you entertain any idea of dying without going there. I should hate to have it said of any Member of this Congress—for all of whom I have such a kindly feeling—that they did not aspire to visit Tupelo before they died. [Laughter.] I extend you all an invitation to come and promise you a royal welcome. Come and go with me on College Hill some evening and see one of our Tupelo sunsets. [Laughter.]

Come and see one of our southern, silvery, Tupelo moons! I think it is the only place in the South where we have the same beautiful moons we had before the war. [Laughter.] I have often been asked about the size of Tupelo. I confess I have not been able to get the exact figures from the last census. The tabulating machines do not seem to have been able to work it out yet; but I can say, Mr. Chairman, that by sufficiently extending the corporate limits of our town we can accommodate a population larger than the city of London. [Laughter.] The truth is that our lands about Tupelo have been so valuable for agricultural purposes that we have not yielded them up for building a city as rapidly as we should have done. [Laughter.]

I can say, Mr. Chairman, that while there are larger places than Tupelo, I do not think there is any other place just exactly like it. Tupelo is very near, if not exactly, in the center of the world. The horizon seems about the same distance in every direction. [Laughter.] The sun, when doing business on regular schedule, comes right over the town, and sometimes gives us a hot time in the old town. It is a great place for the investment of capital, where it will be welcomed and protected. Come early, gentlemen, and avoid the rush!

This, Mr. Chairman, is a proposition to establish there a fish hatchery. We have the ideal place for a fish hatchery. Why, sir, fish will travel over land for miles to get into the water we have at Tupelo. Thousands and millions of unborn fish are clamoring to this Congress today for an opportunity to be hatched at the Tupelo hatchery. [Loud laughter.]

Now, Mr. Chairman, I only wish to say in conclusion that if there is a Member here who wishes to have his name connected by future generations with that of Judas Iscariot and Benedict Arnold, if he wishes to have himself and his posterity pointed at with scorn, if he desires to be despised by men and shunned by women, let him vote against this amendment and he will secure all this infamous notoriety. [Loud laughter and applause.]

Needless to say the amendment was unanimously adopted.

When Mr. Allen made that speech, you will note that the House literally roared with laughter and applause. When we look back now over 39 years and see how this movement has grown, we realize that Private John Allen was contributing to the development of a great national enterprise.

Mr. TREADWAY. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. TREADWAY. I wish simply to add that I realize the long period the gentleman's predecessor served here and the distinguished work that he did. However, in the first session I served in the Sixty-third Congress, I introduced a bill donating to the Federal Government, on behalf of a constituent, the hatchery to which I have referred in my district. It was a donation to the Federal Government, not a purchase by the Federal Government.

Mr. RANKIN. The gentleman from Massachusetts rendered a great service to the people of that area when he did it, and I congratulate him.

But I could not let this opportunity pass without calling attention to the services of the distinguished gentleman from Mississippi, the Honorable John M. Allen, who, as I said, was known throughout the length and breadth of the land in those days as Private John Allen. He was one of the great leaders of his day and generation and one of the greatest wits who ever occupied a seat in this House. [Applause.]

Mr. Chairman, I ask unanimous consent to revise and extend my remarks and to include therein the address by John Allen to which I referred.

The CHAIRMAN. Without objection, the request of the gentleman to extend his own remarks will be granted. The gentleman will have to submit the balance of his request in the House.

There was no objection.

The Clerk read as follows:

BITUMINOUS COAL DIVISION

Salaries and expenses: For all necessary expenditures of the Bituminous Coal Division in carrying out the purposes of the Bituminous Coal Act of 1937, approved April 26, 1937 (50 Stat. 72), including personal services and rent in the District of Columbia and elsewhere; traveling expenses, including expenses of attendance at meetings which, in the discretion of the Secretary of the Interior, are necessary for the efficient discharge of the responsibilities of the Division; contract stenographic reporting services; stationery and office supplies; purchase, rental, exchange, operation, maintenance, and repair of reproducing, photographing, and other such equipment, typewriters, calculating machines, mechanical tabulating equipment, and other office appliances and labor-saving devices; printing and binding; witness fees and fees and mileage in accordance with section 8 of the Bituminous Coal Act of 1937; not to exceed \$4,500 for hire, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, including one for use in the District of Columbia; garage rentals; miscellaneous items, including those for public instruction and information deemed necessary; and not to exceed \$1,800 for purchase and exchange of newspapers, lawbooks, reference books, and periodicals, \$2,187,800: *Provided*, That the first paragraph of subsection "(e)" of part II of the Bituminous Coal Act of 1937 (50 Stat. 72), is amended by inserting at the end of such paragraph and before the period the following: "": *Provided further*, That the provisions of this act shall not apply to a sale of bituminous coal for the exclusive use of the United States or of any State or Territory of the United States or the District of Columbia, or any political subdivision of any of them."

Mr. EDMISTON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. EDMISTON. Mr. Chairman, I make a point of order against the proviso on page 8, beginning in line 7 and ending in line 14.

Mr. RICH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RICH. Does a member of the committee not have the first opportunity to make a point of order against the whole paragraph? If so, I make a point of order against the whole paragraph.

The CHAIRMAN. The gentleman from Pennsylvania, a member of the committee, or any other Member of the Committee of the Whole, would have a right to make a point of order against the whole paragraph (even though a previous point of order had been made to a part of the paragraph).

Mr. RICH. Then, Mr. Chairman, I make a point of order against the whole paragraph on the ground that it is legislation on an appropriation bill.

Mr. FITZPATRICK. Mr. Chairman, I would like to be heard on the point of order.

The CHAIRMAN. Does the gentleman from Oklahoma [Mr. JOHNSON] or the gentleman from New York [Mr. FITZPATRICK] desire to be heard on the point of order?

Mr. FITZPATRICK. Mr. Chairman, I would like to be heard on the point of order.

The CHAIRMAN. The Chair will hear the gentleman from New York.

Mr. FITZPATRICK. Mr. Chairman, I believe this amendment comes under the Holman rule. Eight percent of all the coal handled by this Commission will be used by the Federal, State, and city governments throughout the country. About 35,000,000 tons of coal will be used, and it will cost the Federal, State, and city governments approximately \$3,850,000. It will cost the Federal Government alone \$1,100,000.

The appropriation in this bill is \$2,187,800 for the administration of the act. It will not be necessary for the Commission to handle about 8 percent of all the coal coming under the Bituminous Coal Act if this amendment is agreed to. It is hard to say whether or not it will save \$187,000, which would be about 8 percent of the total amount allowed in the bill for administering the act. In my opinion it will certainly save from \$20,000 to \$100,000. If that is so, it surely is germane to the act, and it will save the different cities, States, and the Federal Government over \$3,000,000.

Mr. Chairman, I feel the amendment is germane and the point of order should be overruled.

Mr. KELLER. Will the gentleman yield?

Mr. FITZPATRICK. I yield to the gentleman from Illinois.

Mr. KELLER. May I ask which point of order the gentleman is arguing, the point of order raised by the gentleman from Pennsylvania [Mr. RICH] or the point of order raised by the gentleman from West Virginia [Mr. EDMISTON]?

Mr. FITZPATRICK. The gentleman from Pennsylvania [Mr. RICH] made the same point of order as the gentleman from West Virginia [Mr. EDMISTON].

Mr. KELLER. No. He made a point of order against the whole paragraph.

Mr. FITZPATRICK. I am making a statement in reference to the paragraph beginning on page 8, line 7, a point of order against which was first raised by the gentleman from West Virginia, and I thought afterward included in the point of order made by the gentleman from Pennsylvania [Mr. RICH].

Mr. ALLEN of Pennsylvania. Will the gentleman yield?

Mr. FITZPATRICK. I yield to the gentleman from Pennsylvania.

Mr. ALLEN of Pennsylvania. The gentleman states that this paragraph is germane because of its effect on the Federal Government and municipalities so far as savings are concerned.

Mr. FITZPATRICK. It will cut down the cost of administering the act.

Mr. ALLEN of Pennsylvania. But inferentially the gentleman admits, if this act does become effective, it will cost the taxpayers of this country and the consuming public millions of dollars?

Mr. FITZPATRICK. No. If my amendment is carried, it will not cost the Federal Government or States anything.

The gentleman is not in favor of the act in the first place. The gentleman wants to knock out the entire act.

Mr. ALLEN of Pennsylvania. Yes.

Mr. FITZPATRICK. Then the gentleman is not in sympathy with the coal miners.

Mr. ALLEN of Pennsylvania. I want to amend the act so that it will be workable.

Mr. EDMISTON. Will the gentleman yield?

Mr. FITZPATRICK. I yield to the gentleman from West Virginia.

Mr. EDMISTON. If this provision stays in the act, certainly the gentleman does not think that will help the Bituminous Coal Act or the Guffey Coal Act. It will wreck the thing if that amendment stays in there.

Mr. FITZPATRICK. It will not wreck it. The savings will amount to about \$3,850,000 for the States and Federal Government. In some of the cities it will cost them \$1,000 a day, in some others \$500, and in still others \$400 a day. It is going to cost the Federal Government \$1,100,000 if it must pay this tax. I am in sympathy with the act itself and I supported it.

Mr. TABER. Mr. Chairman, I desire to be heard on the point of order.

Mr. KELLER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. KELLER. What are we talking about? We have a point of order made by the gentleman from Pennsylvania [Mr. RICH] which applies to the entire paragraph involving the Bituminous Coal Commission and we are having a discussion on something entirely different.

The CHAIRMAN. Permit the Chair to state that the first point of order was made to the proviso. Of course, if the point of order is good with reference to the proviso, it is good so far as the whole paragraph is concerned. The Chair will hear the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, that this item is legislation is specifically set out in the language between lines 7 and 10 on page 8 in that it proposes to add a paragraph to subsection (e) of part 2 of the Bituminous Coal Act of 1937.

The Holman rule provides:

Nor shall any provision in any such bill or amendment thereto—

Referring to appropriation bills—

changing existing law be in order except such as being germane shall retrench expenditures by reduction of the number and salary of the officers of the United States, by reduction of the compensation of any person paid out of the Treasury of the United States, or by reduction of the amount of money covered by the bill.

The language carried here does none of those things which are covered by the Holman rule. It is not in any way in order, nor does it appear that the language in any way effects a saving to the Treasury of the United States. Under these circumstances it is not legislation in line with the Holman rule, but quite the contrary, and the point of order should be sustained.

Mr. FITZPATRICK. Will the gentleman yield?

Mr. TABER. I yield to the gentleman from New York.

Mr. FITZPATRICK. Assuming that 35,000,000 tons of coal are taken out of the act, will not that cut down the cost of administering the act?

Mr. TABER. Why, the proper way to cut down the cost of administering the act is to sustain the point of order and leave the language out of the bill.

Mr. FITZPATRICK. Will the gentleman answer the question; will it not cut down the cost of administering the act?

Mr. TABER. When we have to deal with one particular type of coal under one provision and another type under the other, it will cost four times as much to administer the act.

Mr. FITZPATRICK. If we cut out 35,000,000 tons, 8 percent of the total coming under the provision, will it not cut down the cost of administration?

Mr. TABER. No; it will increase the cost, because it will involve more detail and work.

Mr. FITZPATRICK. It will not.

Mr. MAY and Mr. EDMISTON rose.

The CHAIRMAN. For what purpose does the gentleman from Kentucky rise?

Mr. MAY. I should like to be heard on the point of order, Mr. Chairman.

The CHAIRMAN. In support of the point of order?

Mr. MAY. In support of the point of order.

The CHAIRMAN. The Chair feels that in fairness he should first hear from the gentleman from West Virginia, who made the point of order.

The Chair will be pleased to hear the gentleman from West Virginia.

Mr. EDMISTON. Mr. Chairman, the proviso on page 8, lines 7 to 14, is certainly very clearly, to any reasonable mind, legislation on an appropriation bill. Members have only to read the proviso to see that it is legislation on an appropriation bill. As to the application of the Holman rule, as the gentleman from New York has said, even though the language is germane, the provision saves no money. As a matter of fact, it will cost the Government a great deal of money if this language remains in the bill. In my opinion, if this language stays in the bill, all the work the Commission has done in an effort to fix some 350,000 different prices in this country will have to be done over again. Further, are we not a great legislative body if we pass a bill, make it a law of this land, and then by a proviso like this exempt all political subdivisions of the country so that the law would apply to everyone but the political subdivisions?

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. EDMISTON. I yield to the gentleman from Pennsylvania.

Mr. RICH. The gentleman from New York [Mr. FITZPATRICK] made the statement that he voted for this bill. Now he wants to destroy it by exempting the political subdivisions. He is letting the Government do what he does not want the people of this country to do.

Mr. EDMISTON. He is doing just that, and letting every political subdivision of this country be a purchaser of bootleg coal.

Mr. FITZPATRICK. If the gentleman will permit me to answer the gentleman from Pennsylvania, was he in favor of the act?

Mr. RICH. No. I voted against it because I knew it was wrong in the first place. I am going to vote against it now.

Mr. FITZPATRICK. Certainly. I am in favor of the act, but I believe it is unconstitutional to tax the State and city governments.

The CHAIRMAN (Mr. COOPER). The Chair is prepared to rule.

The gentleman from West Virginia makes the point of order against the language appearing in the proviso in lines 7 to 14, inclusive, on page 8, that it is legislation on an appropriation bill. The gentleman from Pennsylvania makes a similar point of order against the entire paragraph beginning in line 10 on page 7 and ending in line 14 on page 8. Of course, if the point of order made by the gentleman from West Virginia as to the proviso is sustained, the point of order also having been made by the gentleman from Pennsylvania as to the entire paragraph, the result would be that the point of order would be good as to the entire paragraph.

The gentlemen speaking in opposition to the point of order have endeavored to justify the provision appearing in the bill to which reference has been made on the ground that it comes within the provisions of the so-called Holman rule. The Chair invites attention to the second sentence of clause 2 of rule XXI, commonly known and referred to as the Holman rule, which reads as follows:

Nor shall any provision in any such bill or amendment thereto changing existing law be in order, except such as being germane to the subject matter of the bill shall retrench expenditures by the reduction of the number and salary of the officers of the United States by the reduction of the compensation of any person paid out of the Treasury of the United States, or by the reduction of amounts of money covered by the bill.

The Chair also invites attention to page 56 of Cannon's Procedure in the House of Representatives, and quotes as follows:

MUST SHOW RETRENCHMENT ON ITS FACE

It must affirmatively appear upon the face of the bill that the proposition, if enacted, will retrench expenditures.

A retrenchment of expenditure relied upon to bring a proposition within the exception to the rule prohibiting legislation on an appropriation bill must be apparent from its terms, and a retrenchment conjectural or speculative in its application, or requiring further legislation to effectuate, is not admissible.

The Chair also invites attention to another precedent directly in point to a proper consideration of the question here presented, section 1530, volume VII of Cannon's Precedents, quoting:

The reduction of expenditure relied upon to bring a proposition within the exception to the rule prohibiting legislation on an appropriation bill must appear as a certain and necessary result and not as a probable or possible contingency.

The language of the proviso to which the point of order is made is as follows:

Provided, That the first paragraph of subsection "(e)" of part II of the Bituminous Coal Act of 1937 (50 Stat. 72), is amended by inserting at the end of such paragraph and before the period the following: "*Provided further*, That the provisions of this act shall not apply to a sale of bituminous coal for the exclusive use of the United States or of any State or Territory of the United States or the District of Columbia, or any political subdivision of any of them."

It seems to the Chair that this language is legislation on a general appropriation bill. The very language itself clearly shows that the purpose sought to be accomplished is the amendment of existing law. Therefore, as it appears so clearly that it is legislation on an appropriation bill, under the provision of the rule to which the Chair has referred and based upon the previous decisions and precedents here cited, the Chair feels that this provision does not properly come within that provision of clause 2 of rule XXI, known as the Holman rule.

The Chair, therefore, sustains the point of order made by the gentleman from West Virginia as to the proviso, and likewise sustains the point of order made by the gentleman from Pennsylvania as to the entire paragraph. The entire paragraph will go out on the point of order.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Oklahoma: On page 7, beginning in line 10, insert a new paragraph, as follows:

"Salaries and expenses: For all necessary expenditures of the Bituminous Coal Division in carrying out the purposes of the Bituminous Coal Act of 1937, approved April 26, 1937 (50 Stat. 72), including personal services and rent in the District of Columbia and elsewhere; traveling expenses, including expenses of attendance at meetings which, in the discretion of the Secretary of the Interior, are necessary for the efficient discharge of the responsibilities of the Division; contract stenographic reporting services; stationery and office supplies; purchase, rental, exchange, operation, maintenance, and repair of reproducing, photographing, and other such equipment, typewriters, calculating machines, mechanical tabulating equipment, and other office appliances and labor-saving devices; printing and binding; witness fees and fees and mileage in accordance with section 8 of the Bituminous Coal Act of 1937; not to exceed \$4,500 for hire, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles including one for use in the District of Columbia; garage rentals; miscellaneous items, including those for public instruction and information deemed necessary; and not to exceed \$1,800 for purchase and exchange of newspapers, lawbooks, reference books, and periodicals, \$2,187,800."

Mr. JOHNSON of Oklahoma. Mr. Chairman, I think it is obvious that this amendment as it now stands contains no legislation. I shall not take the time of the Committee to discuss it at this time.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Kentucky.

Mr. MAY. The only thing this amendment does is to reinsert a portion of the paragraph to which a point of order was made by the gentleman from Pennsylvania [Mr. RICH], and the bill is exactly as written down to the proviso on page 8.

Mr. JOHNSON of Oklahoma. The gentleman is correct.

Mr. ALLEN of Pennsylvania. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. ALLEN of Pennsylvania to the amendment offered by Mr. JOHNSON of Oklahoma: In the last line of the gentleman's amendment, after the word "periodicals", strike out "\$2,187,800" and insert "\$1,187,800."

Mr. ALLEN of Pennsylvania. Mr. Chairman, I ask unanimous consent that I may proceed for 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ALLEN of Pennsylvania. Mr. Chairman, so that I may explain the purpose and significance of this amendment to the Committee, I would like to relate a brief history of the legislation pertaining to the bituminous-coal industry. The first attempt to regulate bituminous coal came in 1933, under the N. I. R. A., which act was declared unconstitutional in 1935. Following this the first Bituminous Coal Act was passed in 1935 and declared unconstitutional in 1936, and the legislation under which we are operating today was passed in April of 1937, nearly 3 years ago.

I cite these facts to emphasize that since 1933 we have been accumulating records and data, all of which could have been used as a basis for a price-fixing program had the Bituminous Coal Commission, now a Division of the Department of the Interior, been working effectively.

I voted for the Bituminous Coal Act of 1937, hoping it might possibly bring some order to an industry which was in comparative distress, but we have learned from experience since the passage of that act in April 1937 that the legislation itself contains unworkable provisions. Furthermore, there has been obvious maladministration of that legislation, which is well known to most of the Members of this House.

Now, I come from a large bituminous coal district. If any benefits had resulted from this legislation I would be on the floor this afternoon fighting for the full amount of this appropriation. If this meant anything constructive to the coal operators or the coal miners of my district I would be working for this appropriation and not against it.

Mr. EDMISTON. Mr. Chairman, will the gentleman yield?

Mr. ALLEN of Pennsylvania. Not at this point, but I will be pleased to yield in a moment.

I ask the membership of this House to pause for a moment before we throw good dollars after bad. Before we appropriate any more money to be wasted—and money has been wasted during the past 5 years on this ill-starred legislation—we should study the record and take account of facts.

The purpose of the Bituminous Coal Act was twofold, first to fix prices, and second to regulate the bituminous-coal industry. During the whole history of this legislation not a single price has been fixed except for one brief period in 1938, and those prices were thrown out 2 months later because they had been arrived at illegally by the Commission. As far as regulating the industry is concerned, it has been plunged from comparative disorder into absolute chaos. Bureaucrats want to control, not regulate. Nothing has been accomplished to benefit the bituminous-coal industry under this legislation. After 5 long years at an estimated cost to the industry and to the people of \$20,000,000 the results are zero.

I want to quote from the hearings at page 128, where the gentleman from Pennsylvania [Mr. RICH] asked this question:

The question is, What have you accomplished both for the operators and the miners in that time?

The answer was:

Mr. GRAY. Nothing, except the attempt to set the prices, which is now almost accomplished.

Mr. Chairman, refer to the hearings on this legislation during the past 4 years and you will find where that statement "We are about to establish minimum prices," has been made every year since the adoption of the legislation. We are still waiting for that phantom schedule. It is just around that mythical corner today as it was 3 years ago.

Former profitable mines are losing money today; more mines in America are closed today than before the passage of

this act in April 1937, and more miners are out of work today than there were then. Does that record warrant confidence, or the further appropriation of good dollars?

Here is the history of bituminous coal since the passage of this vitiating legislation.

Overcome these facts if you can: In 1936 the industry lost slightly in excess of \$12,000,000; in 1937, the first year of this legislation, the industry lost \$37,000,000; in 1938, the industry lost \$60,000,000; and in 1939, the figures are not yet available, but the loss will approximate the losses of 1938. Can the proponents of the Coal Act speak with assurance when they are face to face with such a record? One reason for these losses is the 30-day restrictive contract clause, and I wish you would give me your attention for a moment on this provision. The producers of bituminous coal under the provisions of the Coal Act can contract with consumers for a limited period of only 30 days. You know that large consumers, depending on uninterrupted production schedules and cost schedules, cannot afford to contract for 30-day periods only. We have driven consumers who have previously purchased bituminous coal into the arms of competing fuels. Furthermore, the expense of selling coal every 30 days has been prohibitive. Common sense suggests that.

Price-fixing alone has always been unworkable. We are mocking the experience of history when we try to assure any industry a profit by Government edict, a thing which has never been accomplished unless the Government has owned that particular industry outright. Prices today on coal are based on production costs, and those costs depend on wages and taxes, insurance and State legislation—all of which are dynamic factors. They may change from day to day. Yet after a period of months, we have established in one area alone 500,000 minimum coal prices.

Think of that—500,000 minimum prices, and those prices may be completely changed tomorrow morning, or even before they are made effective, by one slight alteration in the wage structure or in the insurance rates in the coal industry. Is there any human agency that can possibly administer 500,000 complex prices in just one area alone—and there are several areas in this country?

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. ALLEN of Pennsylvania. Not now. So today's prices may be obsolete tomorrow morning, and there is going to be constant confusion in this industry even if minimum prices are established. Read what the Consumers' Counsel said—that agency of the Bituminous Coal Commission which was established to protect the consumer. Read what our own agency said of this legislation, and it is contained in its report to Congress of December 27, 1938:

It is impossible to believe that a police organization—

Meaning the Bituminous Coal Commission—

will be successful in enforcing regulations and compelling observance of decisions which attempt to put so many prices into effect.

Many of you have no coal mines or miners in your districts, but you all have consumers of bituminous coal. I want you to look on page 71 of the hearings, in which it is stated by Mr. Kirgis, of the Consumers' Counsel, that once these minimum prices are established the coal bill of our people will jump \$44,000,000 a year. If you have consumers in your district who can stand that higher cost of living, if the unemployed in your district can afford to pay more for their coal, if the working people in your district can afford to do so, then, by all means, vote against my amendment. My conviction is that the consumers of America are already saddled with too heavy costs of living. This Congress cannot afford to impose higher prices on them for such a fundamental necessity as coal. It is just a matter of robbing Peter to pay Paul, trying to help one economic group at the expense of another. It just is not fair. And it is not good economics.

I wish you would refer to the statement by our colleague, the gentleman from Illinois, Mr. Anton Johnson, in the CONGRESSIONAL RECORD of February 23, wherein he states that he has received protests from three large communities in his district because of the increased costs to the citizens

of his communities, if these proposed prices are once established.

Mr. Chairman, this matter is not an isolated case. There is a principle involved in this whole legislation. It is for us to decide now whether we are going to arrest the onward march of bureaucracy; whether we are going to veer away from that dangerous tendency we have been following in recent years. We must determine whether we are going to stand by a system of free enterprise as against regulation; reasonable industrial freedom as against bureaucratic dictatorship. On page 28 of the hearings I think the attitude of Mr. Ickes, Secretary of the Interior, is clearly revealed when in answer to a question he states:

Most of this coal goes into interstate commerce. It would work for uniformity, and I think Federal inspection and supervision and other things would be equally or better handled by the Federal Government than by the State. It removes it from local influence.

It is up to us to decide whether we wish to scrap State rights and State regulation and concentrate all power here in the hands of a Federal bureaucracy. When we do that there will, of course, be no democracy here in America. [Applause.]

[Here the gavel fell.]

Mr. EDMISTON. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Pennsylvania [Mr. ALLEN].

Mr. Chairman, I would like to answer the gentleman from Pennsylvania on the amendment which he has offered, the effect of which is plain to every Member of the House. It is simply to scuttle the Bituminous Coal Commission.

I grant that the Bituminous Coal Commission has not functioned the way many of us had hoped it might, but there have been several million dollars invested in an effort to try to get it to do what a great many of us believed would be a godsend to the coal industry. We are assured now that they have complied with the legal requirements on price fixing and that those prices will be forthcoming in the very near future. Having invested several million dollars in this matter, certainly we do not want to scuttle the ship before we have given it a trial, to see whether it will work or not.

The gentleman from Pennsylvania [Mr. ALLEN], I know, does represent a large bituminous coal producing district. He said, "What good has this act done for the coal industry?" It will do a great deal of good for the coal industry when these prices are fixed. Let me tell you that since we have had the Bituminous Coal Act we have had peace in the coal industry. We have had no bloodshed, and the miners have been working for a living wage. When these prices are fixed the operators will make a fair profit on their production.

Mr. ALLEN of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. EDMISTON. I cannot yield. The gentleman did not yield to me.

These things have come out of the industry. We all know the past history of the coal industry—the strife and turmoil and bloodshed for years. Since the enactment of the N. I. R. A. and the Bituminous Coal Commission we have had no bloodshed in the coal industry.

Mr. ALEXANDER. Mr. Chairman, will the gentleman yield?

Mr. EDMISTON. I yield.

Mr. ALEXANDER. Up in our section there has been a great deal of opposition to the Bituminous Coal Commission because of the fear that in setting these prices you are talking about they are going to make it so high that we cannot afford to use that type of coal up there, and as a result at the present time there is a move on foot to borrow \$11,000,000 through the Reconstruction Finance Corporation for the purpose of running a gas pipe line from the Kansas gas fields, and gas will be substituted for coal. What is the gentleman's answer to that?

Mr. EDMISTON. The gentleman will find that when he gets his gas up there from Kansas that unless an entirely unreasonable price is fixed on coal, it cannot compete with coal.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. EDMISTON. I yield.

Mr. MAY. I think the gentleman should tell the House that this money is all collected from the coal operators by a special tax, and none of it comes out of the Federal Treasury.

Mr. EDMISTON. That is true. Members of the committee will point that out later. But 1-cent-a-ton tax, paid by the producer, the coal operator, will at the end of this fiscal year have paid more money into the Treasury than all of this has cost the Government.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. EDMISTON. I yield.

Mr. SCHAFER of Wisconsin. These coal operators pay the tax, but they pass it on to the consumer, do they not?

Mr. EDMISTON. Well, does not the consumer always pay all the taxes?

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. EDMISTON. Yes; I yield.

Mr. WALTER. Is it not true that the reason why the act has not been put into effect is because of the cases in the courts that have been held up?

Mr. EDMISTON. Of course, the court threw out the prices that they did establish and made them do it in a different way; that has taken this time. You can all imagine how much time it takes to fix 400,000 prices on anything.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. EDMISTON. I yield.

Mr. VAN ZANDT. I am deeply interested in the coal question by reason of the many coal miners in my district, but I think the gentleman has confused many Members. The gentleman mentioned a moment ago that the Bituminous Coal Commission has brought peace to the coal industry. How did the Bituminous Coal Commission bring peace to the industry?

Mr. EDMISTON. Because under price fixing the operator can pay a fair, decent, living, American wage to the miner, and he does not have the old strife and turmoil and bloodshed that he had in the olden days. He believes that prices will be fixed and he can make a legitimate profit.

Mr. ALLEN of Pennsylvania. But there has been no price fixed.

Mr. EDMISTON. Eighty percent of the coal operators are trying to comply with what they want when the prices are fixed. They are trying to anticipate it and do it on that basis.

Mr. VAN ZANDT. Until prices are fixed the industry will have to depend on agreements already negotiated between the producers and the miners?

Mr. EDMISTON. That is right.

Mr. VAN ZANDT. Therefore the Bituminous Coal Commission has had nothing to do with peace in the industry.

Mr. EDMISTON. The Bituminous Coal Division has had a great deal to do with peace in the coal fields since its establishment.

Mr. JOHNS. Mr. Chairman, will the gentleman yield?

Mr. EDMISTON. I yield.

Mr. JOHNS. What do I understand by "the fixing of 400,000 different prices"?

Mr. EDMISTON. They have to fix the price of coal for each mine to each market to which that mine ships its coal. You can readily see how many prices there would be for one mine. One mine may operate two or three different veins of coal, and the price will have to be fixed for each seam of coal. [Applause.]

[Here the gavel fell.]

Mr. RICH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in Pennsylvania we used to have 800,000 miners; today we have about 400,000.

Mr. Chairman, I am interested in seeing that the miners of Pennsylvania have jobs. What is the result if they do not? We have to find something else for them to do. I do not want to do anything that would in any way interfere with the Pennsylvania miners, although I have very, very few in my district.

The bituminous-coal code requires the mine operators to come under its provisions or pay a penalty of 19½ percent. You will see on page 125 of the hearings where I asked Mr. Gray whether they would compel them to come under the code. He said no, they are not compelled to, but any mine operator who would not come under the act would be a fool, because he has to pay only 1 penny a ton if he comes under the act, but if he does not then he is fined 19½ percent. They drive them into it, yet Mr. Gray says they are not compelled to come in.

All I have to say is that a 19½-percent fine would compel anyone to come under a code. What is the result? They have gone around to every mine operator in Pennsylvania and told him that if he did not come under he would be fined 19½ percent. Well they will all come under the act to avoid the penalty.

What is the result of operations under the Bituminous Coal Commission? In 5 years we have poured \$10,000,000 into this Commission. When it was a 5-man board they were always at loggerheads and fighting each other every time they came before our subcommittee. Not once were they in harmony as to what they wanted. It was terrible. I must admit though that it is a whole lot better under the management of Mr. Gray than it was under the 5-man board.

If the Commission required all the money provided under this item of the bill to operate their established program for 1 year I would not object to it, but I think it could easily be cut down by \$1,000,000 and the carrying out of the purpose of the Bituminous Coal Act would not be interfered with one iota. We could thus save \$1,000,000. I think it is only wise that the committee adopt the amendment offered by the gentleman from Pennsylvania [Mr. ALLEN].

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield.

Mr. WALTER. Does the gentleman feel that after having expended the tremendous amount of money that has already been expended it is good economy to prevent putting into effect the very thing we desired when we first passed the act?

Mr. RICH. I tried to explain how I felt about that. After 5 years of effort and \$10,000,000 expense they have not even fixed the price of coal. It is ridiculous. I know it is said the price of coal will be published on the 1st of April. The basic principle being established, and everybody being signed up, it is simply ridiculous to believe that they cannot properly function with the amount of money that would be left in the bill if the amendment offered by the gentleman from Pennsylvania [Mr. ALLEN] is adopted. I feel confident they will still have sufficient money. It will not destroy the act; it will help it and eliminate a lot of political leeches, who are of no service to the Department.

Mr. ALLEN of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield.

Mr. ALLEN of Pennsylvania. Is it not true that from a purely economic standpoint in order to fix prices you must control production also? And is it not further true that this bureaucracy in Washington is trying to control production at the mine and that the next step will be outright ownership?

Mr. RICH. Absolutely, and it will do very great damage and injury to the coal-mining industry. I hope that the coal industry of Pennsylvania, instead of going backward, will go ahead so we can give our miners work. [Applause.]

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, I ask unanimous consent that debate on this paragraph and all amendments thereto close in 20 minutes.

Mr. MAY. Mr. Chairman, reserving the right to object, I have been trying for some time to get an opportunity to debate this amendment, but the Committee has not seen fit to give me a chance to be recognized. Unless assured that I shall have 5 minutes, I shall object.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

Mr. MAY. Mr. Chairman, I object.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I ask unanimous consent that debate on this paragraph and all amendments thereto close in 30 minutes.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that debate on this paragraph and all amendments thereto close in 30 minutes.

Permit the Chair to state that the Clerk has furnished the Chair with a list showing the following gentlemen as seeking recognition on this amendment: Messrs. MAY, KELLER, LEAVY, JOHNS, REECE of Tennessee, and JOHNSON of Oklahoma.

Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The CHAIRMAN. The gentleman from Oklahoma [Mr. JOHNSON] is recognized for 5 minutes.

Mr. JOHNSON of Oklahoma. Mr. Chairman, the splendid and able arguments made by the two gentlemen from Pennsylvania would be apropos were we still operating under the seven-man board that had a lot of trouble, legal and otherwise. But that board is a thing of the past. It does seem that a lot of prejudice still is held here against the present set-up because Members disliked the old Coal Commission.

I do not think I am unfair when I say that the gentleman's argument is about the same as he made last year against the seven-man board. A year ago, when the members of that board appeared before our committee, they were divided as to policy and were not in accord. Some of them were said not to be on speaking terms. That situation, however, no longer obtains. But the present Director, Mr. Howard Gray, is doing a good job and I think every member of the committee who heard his testimony realizes and appreciates he is doing an outstanding work. Harmony and efficiency has replaced chaos and inefficiency.

I want to call the attention of the members of the committee to the fact that the Committee on Appropriations has been able to cut this appropriation \$1,312,000 below the figure appropriated last year for the seven-man board. I am glad to say to the Members that they have already eliminated a large part of the personnel and other expenses. After this has been done and after hearing the evidence, the committee slashed another \$200,000 from the appropriation and we feel that the bill has been reduced about as much as possible and still maintain efficiency.

Mr. Chairman, I speak as one who has no coal in his district. Moreover, it is well known that I voted against the original bill establishing the Bituminous Coal Commission. But we have it now, the law is functioning, and it is doing a good job. We heard no protests, except from one Member of Congress. We did not hear a protest from a single coal miner or coal operator. Not one of them appeared before our committee and asked that the appropriation be eliminated or reduced.

Mr. RICH. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Pennsylvania.

Mr. RICH. We did not ask any coal operators to appear.

Mr. JOHNSON of Oklahoma. No; neither did we ask 50 Members of Congress to come before the committee, either; but some 50 of them appeared before our committee, and all, save 1, asked for increased appropriations.

We have reduced this item as far as we feel it can be reduced and at the same time efficiently function. Let me call attention to the fact that 1 year hence this law expires. If you eliminate a million dollars from this bill, you will simply be saying, "We are not going to wait a year. We do not propose to give Mr. Gray and his set-up an opportunity to make good. We are going to do it now just in order to show we did not like that seven-man board that preceded him."

The gentleman from Pennsylvania [Mr. ALLEN] is one of my good friends. I have gone into his own district more than once and have been delighted to speak for him. He is an able and valuable Member of this body. He appeared before our committee and repeatedly said he was against the bill, and he is against the appropriation for the Coal Division. All of us know of his personal feelings on the matter. Members who are against it, who are not willing to give the new Director any chance at all; then, I submit, that they ought to vote

against any appropriation; but certainly they should not cripple the bill by voting for the pending amendment. But those who are willing to give Mr. Gray and his organization a chance to make good, as they are already doing, then, may I ask you to vote down the Allen amendment?

Mr. RICH. We appropriated last year over \$3,000,000, and he has up to the 1st of July to spend the unexpended portion of that appropriation?

Mr. JOHNSON of Oklahoma. That is right.

Mr. RICH. He is going to have the price of coal on April 1. By the 1st of July he can cut down his force, and it would be good business to do that.

Mr. JOHNSON of Oklahoma. This bill proposes to cut the appropriation down about one-third. This bill, I again remind Members, represents a reduction of more than \$1,300,000 below what they had last year.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Kentucky [Mr. MAY].

Mr. MAY. Mr. Chairman, I want to talk about the feature of this bill that affects as much, if not more, the State of Pennsylvania than any other State in the Union. Pennsylvania in population is a large State, and in coal production it stands number one, or did until West Virginia exceeded it. Kentucky comes about third. I happen to have been engaged in the coal business long enough to learn that the problem of price-fixing is a most difficult one. First of all you are up against about 6 or 7 different grades of coal; then you are up against numerous kinds of coal; and when a commission is dealing with a great industry as basic as the coal industry is, an industry that covers 37 of the 48 States, it has a stupendous problem. May I say that I do not believe in fixing prices and the only way I can justify my vote against the amendment is to say that I have never believed in spending, as some have asserted here, \$10,000,000 in an effort to complete a job with a fixed objective, and then cut off a million dollars to keep it from being performed in the end.

I was a little amazed that my colleague from West Virginia [Mr. EDMISTON] said this involved a job of fixing some 400,000 different prices. When you figure there are seven grades of coal, all selling at different prices, going into three or four different markets and into a multitude of different uses, you can appreciate what a difficult problem it is. It may never be accomplished. But inasmuch as the money comes out of the pockets of the coal producers, I think it would be unwise of the Congress to undertake to nullify a statute which we ourselves enacted by withdrawing an appropriation to make it effective.

May I say further that there is no industry in this country that pays unskilled labor higher wages than the coal industry—and I mean by unskilled labor the ordinary coal loader who takes a pick and shovel and goes into the mine and loads the coal. When you say that they cannot fix the price of coal, it means that in the State of Pennsylvania, where there are some 400,000 men making their living by loading coal, you are, in effect, saying that they will not get credit for what we know in the coal mines as bug dust, which comes from the cutter bar of the machine. About 6 inches of the coal goes back into the gob, as we term it, and the miner gets no credit for that. If there is a price fixed on that and a price can be found, it will enable the coal loader to have in his pay check at the end of the half of the month credit for the bug dust that he has never heretofore received, and I want to say on behalf of the 30,000 coal loaders who live in the eight great counties of my district that I would like to see them get credit for it. I am not going to vote to cut the throat and assassinate the legislation that they have sponsored by withdrawing the appropriation, legislation enacted by the Congress.

Mr. RICH. Will the gentleman yield?

Mr. MAY. I yield to the gentleman from Pennsylvania.

Mr. RICH. The gentleman is anxious to have his miners work. The only way that his miners can have jobs is to have the operators sell coal.

Mr. MAY. That is right.

Mr. RICH. If you increase the price of coal so that coal competes with oil, then you are going to put coal out of business, and the consumers will all use oil. You will not be able to increase the wages of your men, who you say get high wages now, if they mine something that the operators cannot sell, and you will do your miners an injustice.

Mr. MAY. In the oil business you do not have half a dozen different kinds of oil coming out of the same well. In the coal industry you do have different grades of coal coming out of the same mine. The only purpose of the fixing of prices is to make profitable the under grades of the coal by providing, not a high price but a stabilized uniform price in particular markets. If prices can be stabilized and thereby bring about a stabilized and steady year-round market, that means steady employment for the coal miners and steady and profitable business for the merchants and other business interests in thousands of communities where coal is produced. That is the kind of business I want. [Applause.]

The CHAIRMAN. The Chair recognizes the gentleman from Tennessee [Mr. REECE].

Mr. REECE of Tennessee. Mr. Chairman, I believe, as the gentleman from Pennsylvania has said, it is generally admitted the Bituminous Coal Division, as it is now operating under the Interior Department, is doing a good job and is conscientiously trying to carry out the purposes of the act, and will do so unless handicapped by inadequate funds. The amount provided in this bill is more than \$1,000,000 less than the old Commission used in the previous year and the amount is some \$200,000 less than the estimate of the Budget Bureau, and the Budget estimate was less than the estimate of the Coal Division. The amount collected by the 1-cent tax levied under the act well exceeds the amount provided for its administration. It amounted to about \$3,750,000 in 1939 and it is expected this year to be something like \$4,000,000. Thus the amount to be collected from the tax imposed is substantially more than the appropriation recommended. The purpose of this tax, though not expressly so stated in the act, is to defray the cost of administering it and not for the purpose of general revenue.

In my opinion, it is unfair to the coal industry, who pays the tax, and to those charged with the responsibility of administering the act, not to provide a sufficient amount of the tax revenue to properly carry out its purposes. This is particularly true during the period when the act is being put into operation, which is the case during this period. The coal industry wants the act given a fair trial. This cannot be done unless the Division is given an adequate appropriation during the rest of the year. Unless this is done we will never know whether the act can be made to function in the interest of the coal industry, in the interest of the employees, and in the interest of the public. If we are not going to provide sufficient money to ascertain whether that purpose of the act can be carried out, then I say we ought to eliminate the entire item at this time. We will never be able to find out if it is able to function in the interest of the public and the industry unless we give it sufficient money to carry out the purposes of the act. The appropriation should be governed by the requirements as estimated by the Division unless those estimates are shown to be erroneous. I think myself we ought to have provided the money which the Division felt it should have in order to function properly, since its estimates were not shown to be erroneous. Certainly the committee went far enough when it reduced the estimate of the Budget Bureau by \$200,000. The Division should not be handicapped by lack of money so that the act will not have a fair trial in its operation.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. REECE of Tennessee. I yield to the gentleman from Pennsylvania.

Mr. RICH. We have had this Commission set up for 4 years and have given them \$10,000,000, but they have been fighting all the time and have not even fixed the prices of coal. After spending \$10,000,000 they say they will have the price schedule ready by the 1st of April. Does not the gentleman believe they ought to be able to function and do what

it was intended they do without having all these men on the pay roll, who were not required even when they were making up this price schedule?

Mr. REECE of Tennessee. The old Coal Commission had a very difficult problem to face. I presume none of us feel that it functioned as well as it should have, but it encountered difficulties, some of which were legal. After it was ready, at one time, to promulgate prices, due to interpretations by the Court, it was found necessary to withdraw proposed schedules and start anew with reference to the determination of prices. Regardless of what the gentleman from Pennsylvania may say about the old Commission, he admits the Division is now doing a much better job, and it is generally felt that it is doing an excellent job. I think those in charge of its administration should be commended. They certainly should have our cooperation after we have given them this responsibility.

Mr. Chairman, it would be very unfortunate if this amendment should be adopted. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. KELLER].

Mr. KELLER. Mr. Chairman, I agree heartily with what the gentleman who just preceded me had to say. He has given a very fair, a very sensible, and a very rational statement in regard to the entire matter.

Referring to my friend the gentleman from Pennsylvania [Mr. ALLEN], let me suggest that under the N. R. A. the great John Morrow companies did make money. They can make it again when we have proper control of the industry, and they will do it. It happens, however, to be an outfit that has never believed that anything the present administration has ever done or ever will do is any good at all, and therefore it is "agin it" whether it has any sense to it or not. Let me suggest to the young gentleman himself that if he believes this act is unworkable, instead of trying to sabotage the act he should bring to this body proper amendments to make it workable.

Mr. ALLEN of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. KELLER. No. The gentleman would not yield to me and I cannot yield to him—the gentleman had twice as much time as I am getting—although I would like to beat the gentleman in his own argument, because he cannot defend his position.

There is only one object sought by this amendment, and that is to sabotage the entire program that this act has provided for.

Mr. FLANNAGAN. Mr. Chairman, will the gentleman yield?

Mr. KELLER. I yield to the gentleman from Virginia.

Mr. FLANNAGAN. Is not this an indirect attempt to kill this piece of legislation?

Mr. KELLER. Certainly.

Mr. FLANNAGAN. Is it not a fact that there is no demand from either the operators or the miners to repeal the Bituminous Coal Act?

Mr. KELLER. Certainly. I thank the gentleman for the suggestion.

If any man who thinks the task of setting the prices of coal is an easy one will look into it just slightly, he will find that it is one of the most difficult problems we have ever undertaken. I also am against all price fixing if the problems involved can be solved otherwise.

I want to call attention to the fact that the gentleman from Minnesota [Mr. ALEXANDER] raised the question as to whether the farmers in his section of the country should pay higher prices for heat, for coal. My understanding is that we all want fair prices for the farmers. I know I want fair prices for mine, and I think everybody else wants fair prices for their farmers. But I also want fair prices for the coal producers and coal miners, and I think everybody who has coal production in his district wants the same thing. The truth of the matter is that what we are really trying to do here is to set up such conditions as will bring about fair

prices for everybody. That is a national idea we are seeking to solve.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. KELLER. I yield to the gentleman for a question only.

Mr. MAY. Is not the situation that we have here very much like the man who gets a house built up to the roof and then plasters it and goes off and leaves it?

Mr. KELLER. That is exactly what would be the effect of adopting this amendment.

Mr. THOMAS F. FORD. Mr. Chairman, will the gentleman yield?

Mr. KELLER. I yield to the gentleman.

Mr. THOMAS F. FORD. Is it not possible that this Board will ultimately develop a set of facts through the work they have been doing which will solve the problem?

Mr. KELLER. Exactly; and I want to suggest that since the gentlemen from Pennsylvania who have interested themselves in this discussion have pointed out that the drift up at the Coal Commission at the present time is toward nationalization of the mines, I would call attention to the fact that unless we can find a solution for this problem somewhere along the line we are working on we will be drifting toward the very thing that has taken place in Europe, and that is nationalization of the coal mines. And I commend that to both the gentlemen for their study and consideration.

I am hopeful we can work out a plan that will enable us to retrieve the fortunes of the soft-coal industry and save it from any nationalization. But I am not going to close my eyes to what has taken place in other countries where the same conditions have preceded a nationalization of the mines. I insistently suggest to both of the gentlemen that they study that subject and investigate both the conditions precedent and the conditions following the nationalization of mines in Europe.

Mr. ALEXANDER. Mr. Chairman, will the gentleman yield in connection with this matter?

Mr. KELLER. For a question, please.

Mr. ALEXANDER. In connection with the building of this gas pipe line from the Kansas gas fields to the northwest section of the country, and this question the gentleman is bringing up of the higher price level for bituminous coal, it seems to me that the two do not jibe. You cannot spend this Government money—

Mr. KELLER. I yielded for a question. I cannot yield for a long statement.

Mr. ALEXANDER. Can you spend this \$11,000,000 that the Government is going to spend to run this gas pipe line from the Kansas fields to the northwest and then raise the price of coal and continue to compete?

Mr. KELLER. You want a fair price for your farm products, and so do I, and that is what we are trying to get all along, and therefore it is a national question and not a local one.

[Here the gavel fell.]

Mr. RICH. Mr. Chairman, I ask unanimous consent that the gentleman may have 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. I would like to ask the gentleman this question. If the gentleman is so interested in the miner, how can he figure that by appropriating for the Tennessee Valley Authority—and the gentleman has voted for practically everything they wanted down there—he is helping the miners of Illinois and bringing about an increased demand for coal?

Mr. KELLER. I know the answer to that, if you will let me make it, and it is an answer just to your liking, and here it is. Before the T. V. A. came in we had no yardstick for measuring the price of power to industry. But by having T. V. A. we got a yardstick and it is a success and it does not hurt the miners of Illinois or any others, but gives them the opportunity of doing a lot better job than they would otherwise have been able to do. [Applause.]

[Here the gavel fell.]

Mr. JOHNS. Mr. Chairman, I have listened this afternoon to a great deal of talk about the operators of the coal mines, and I am reminded of a happening a few years ago at a convention where the late Will Rogers was to speak. He listened to the presiding officer introducing everybody who was on the stage and finally, when he got up to speak, he said:

Now, I have listened to this old, bald-headed man over here introduce everybody on the stage, and now, if it would not take too much time, I would like to introduce the audience.

[Applause.]

So, if it will not take too much time here I would like to say something about the people back home; something about the effect on the dealer and the man with a family who has to buy this coal, and also the man who is operating a business. They would like to know something about what is going on.

I was amazed this afternoon, and have been ever since I have been in Congress, to hear the debates on this bituminous-coal law. Sitting here, a few moments ago, I asked the gentleman from New York [Mr. WADSWORTH] whether he was in the United States Senate when Bob La Follette asked to have the railroads valued, saying we would then have a basis for fixing freight rates and passenger rates. I remember when that started out, the Senator said it would cost about \$5,000,000, and that they would get the value very soon, and we would then know just what to do in fixing rates. The fact of the matter is, it took 20 years before they were valued, and instead of costing \$5,000,000 it cost about \$25,000,000, and by the time they got the railroads valued, of course, the valuation was no good because conditions had changed so that they were of no value.

We have been fixing the price, or trying to fix the price, of coal. Somebody said here that there are approximately 500,000 prices already fixed. It is amazing that we should sit around here and expect any business to properly function with 500,000 different prices on 1 commodity alone. We have increased the pay roll of the Federal Government over 400,000 people in the last 6 or 7 years, and it will take 400,000 more people to check up on these prices, if they are fixed, to see that they are enforced.

I have had quite a number of letters from people back home who are selling coal. They would like to enter into a contract to buy some coal, but they do not know whether the prices will be reasonable or whether they will be fixed on the 1st of April at a sum that would enable them to safely deal in coal or not. No doubt they are arranging now so that they can safely do business on the assumption that the prices are to be fixed higher at that time. That being true, many of the people are assuming that these prices are already in effect—that they have already been fixed—because they have been increasing each year. If we are going to increase the price of coal so that it will amount to \$44,000,000 a year more, we should think very seriously about this proposition, and I am afraid that by the time these prices are fixed the first of those 500,000 prices will be out of date and that we will have to fix some more.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. JOHNS. Yes.

Mr. MAY. I hope my colleague did not understand me to say that we were going to fix higher prices. What I had in mind was to fix regular prices so that the mines could operate, not on a seasonal basis, such as they do in cold weather and then slow up in hot weather, but so that they could operate the year round, so that the employment and the business would be regular.

Mr. JOHNS. I do not think the gentleman said anything about raising the prices, but it was stated here that it would increase the price to the consumer about \$44,000,000 a year.

Mr. ALLEN of Pennsylvania. If the gentleman will permit, Mr. Kirgis, of the Consumers' Counsel, very definitely stated in the hearings that it will increase the price to the consumers \$44,000,000 a year. Of course, the dealer will be compelled to raise his price to the consumer.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. LEAVY. Mr. Chairman, I think I can approach this troublesome question in reference to the bituminous-coal

industry in quite an impersonal and open-minded manner. My district does not produce a single pound of coal and there is not any prospect of its ever producing any coal, but as a member of the subcommittee of the Committee on Appropriations having in charge the Interior Department appropriation bill, I had a part in writing the bill; and if gentlemen will turn to the hearings, they will find that as a subcommittee we gave this whole subject matter a real going over, and we were all of the opinion that in the early stages of its organization they had shortcomings, but this is an excellent agency now. It would be unwise at this late hour to attempt to cut them off, and also we were of the opinion that it is not within the province of our subcommittee to nullify a legislative act of the whole Congress that provided the coal legislation. I do not know whether it is good legislation or otherwise. Nevertheless, it is the law of the land, and this Commission has been functioning for several years. The Supreme Court held the first act unconstitutional. This act has been held constitutional, and on April 1 of this year, within the next 30 days, they are going to fix prices. Whether we approve this amendment or not, they will collect from the American public during this next year, unless we repeal the whole act, \$4,000,000. We as a committee ask you to appropriate the sum of \$2,187,000. They had \$3,500,000 last year. The Bureau of the Budget cut them \$1,100,000, and the committee, after long, careful, and earnest consideration, made another cut of \$200,000. I think we made a mistake when we did that. I contend that it would be just as wise to cut the whole appropriation out as to say to this organization, "We will cut your appropriation half in two." The gentleman from Pennsylvania [Mr. ALLEN] appeared before our committee and made a very thorough, careful, and intelligent statement. I asked him if he would place in the record the names of the companies and the operators that oppose the act, and he did that. He gave us some 90 operators. There are 13,500 operators in the United States affected by the act. My colleague from Pennsylvania gave us 90. As soon as I had those I made some further inquiry to ascertain if they were extensive producers, and where they were located, and these are some of the facts that I discovered. A lot of them are what they call strip-mine operators, who operate under different conditions from those who operate in shaft mining. I find this concerning these operators:

One of them—William H. Cooke, of Walter Bledsoe & Co., Terre Haute, Ind.—is an attorney, and not a coal operator at all.

J. T. M. Stonerod, president, Carnegie Coal Corporation, Pittsburgh, Pa., has sold all of his interest and is no longer identified with that company.

C. F. Richardson, of the West Kentucky Coal Co., Sturgis, Ky., is dead.

R. J. Cotts, president, Hitchman Coal & Coke Co., Wheeling, W. Va., sent me this telegram earlier, which I want to read into the RECORD to show you that the coal industry itself is not in opposition to this legislation or this appropriation.

Mr. Cotts says:

On page 1188 of part 1, Interior Department appropriation bill for 1941, the name of the Hitchman Coal & Coke Co., of Wheeling, W. Va., is listed as a company being drastically opposed to the Bituminous Coal Act of 1937. Mr. Cotts is no longer with this company, and I, as president of the Hitchman Coal & Coke Co., of Wheeling, W. Va., specifically request that the name of the Hitchman Coal & Coke Co., of Wheeling, W. Va., be removed from this list, as we are without question in favor of the Bituminous Coal Act of 1937.

Mr. ALLEN of Pennsylvania. Will the gentleman yield at that point?

Mr. LEAVY. My time has practically expired.

Mr. ALLEN of Pennsylvania. I was asked by the gentleman to include in the record at the time of the hearings letters from those companies who had opposed it. If those men have died in the meantime, I have no control over an act of God.

Mr. LEAVY. I have just presented you a telegram from one of the big operators who repudiates the fact that his name should be included in this list.

I hope that the committee will vote down the amendment. Let us not destroy this agency just when we have an opportunity to find out what they can do. [Applause.]

The CHAIRMAN. The time of the gentleman from Washington has expired.

All time has expired.

The question is on the amendment offered by the gentleman from Pennsylvania [Mr. ALLEN] to the amendment offered by the gentleman from Oklahoma [Mr. JOHNSON].

The question was taken; and on a division (demanded by Mr. ALLEN of Pennsylvania) there were—ayes 73, noes 83.

Mr. SCHAFER of Wisconsin. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. ALLEN of Pennsylvania and Mr. JOHNSON of Oklahoma to act as tellers.

The Committee again divided; and the tellers reported there were—ayes 88, noes 74.

So the amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma [Mr. JOHNSON] as amended.

The amendment, as amended, was agreed to.

The Clerk read as follows:

For all expenses necessary to enable the Bonneville Power Administrator to exercise and perform the powers and duties imposed upon him by the act "to authorize the completion, maintenance, and operation of the Bonneville project, for navigation, and for other purposes," approved August 20, 1937 (50 Stat. 731), including personal services, travel expenses, purchase and exchange of equipment, printing and binding, and purchase and exchange (including one at not to exceed \$1,200), maintenance, and operation of motor-propelled passenger-carrying vehicles, \$5,650,000, of which amount \$8,200 shall be available for personal services in the District of Columbia and \$641,800 shall be available for expenses of marketing and transmission facilities, and administrative costs in connection therewith: *Provided*, That this appropriation and the unexpended balances of appropriations and allotments heretofore made for the construction of the power distribution system shall be available until expended and shall be accounted for as one fund entitled "Construction, Operation, and Maintenance, Bonneville Power Transmission System."

Mr. DIRKSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: Page 12, line 24, strike out the period, insert a colon, and add the following: "*Provided further*, That no part of this appropriation or the unexpended balances of any appropriation or allotment which may be available for the construction of transmission lines shall be available for the construction of the Pasco-Colfax transmission line or the Pasco-Pendleton transmission line."

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent to proceed for an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DIRKSEN. Mr. Chairman, I hope I may have the attention of the Committee, in the interest of economy, for just a little, because the amendment which is on the desk at the present time proposes to prohibit and interdict the use of any funds for the construction of two proposed transmission lines which will cost about \$4,000,000.

I have no quarrel particularly with the Bonneville Power Administration. It has been installed. They have two generators operating. They expect to put two more generators into operation sometime around the beginning of 1941. So there is no use crying over whether or not it was a good venture or a bad venture. But the fact remains that there is no sense in the Congress providing funds for the expansion of transmission facilities for the wholesale distribution of power in areas that are now supplied, or where the proposal is to spend the taxpayers' money without any thought or any possibility of ever securing a return on the investment.

Now, follow this briefly: If you will let your mind dwell on the upper northwest corner of the United States of America, you will find two States that form somewhat of a rectangle—Washington on top and Oregon down below. Over on the east side, bounding the States on the east, is the State of Idaho, with the long panhandle extending all the

way from the lower boundary of Oregon to the upper boundary of Washington. What they propose to do with \$2,600,000 in this bill is to build a line from a little town called Pasco, with a population of 7,000, over to another small town called Colfax, and then across the line to Lewiston, Idaho. There are a number of reasons, in my judgment, why it should not be done.

It is going to be a 145-mile line, and it is going to cost \$2,600,000. The need for power, or the outlets for the sale of power are not to be found there. So when you seek to amortize this investment from the standpoint of depreciation and an interest return, you are not going to be able to get the money back.

Mr. WHITE of Idaho. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. Let me proceed, please.

That is the objection I have to it. It is the old story that was started by Columbus, which came first, the hen or the egg. That has never been satisfactorily demonstrated that I know of. But what they are doing here is to extend power lines out into sparsely populated areas in the speculative hope that there will be customers, so they will get their power cheaper within those areas, but the people in the more populous centers must pay the bill on an average rate.

There is included also \$1,400,000 for a line from a little town called Pasco to a town across the border in Oregon, the town of Pendleton, a distance of 65 miles. Pendleton is a town of 7,000 people. The average electric bill in that area will be around \$3.50 per capita. Finally, you may expect they will extend the line another 50 miles down to La Grande, Oreg., and they will ask for another \$1,000,000. So, for approximately 115 miles of line in this direction, we will have another \$2,500,000 invested.

You must appreciate that Bonneville is in the nature of a sales organization. It sells its power wholesale, not retail. Consequently, it has got to sell power to municipalities or public-utility districts organized under the law or to large industries such as the newly proposed aluminum company that is coming into that area. But if you are going to spend \$1,400,000 on the line from Pasco to Pendleton, you are going to get back at the very most about \$40,000 gross. But that is not all. Pendleton has a power plant. They are operating under contracts that probably cannot be canceled overnight. So you spend \$1,000,000 of the taxpayers' money for a 65-mile line into a town of 7,000 population through an area that is sparsely populated; that is wheat country and no good place to find an outlet for power.

It is also proposed to send \$2,600,000 to go across to Lewiston, Idaho, where they do not want Bonneville power. As I remember, the Governor of Idaho and others indicated definitely that they did not want the line. They have some hydro or some reclamation projects in their own State that they would like to develop. Consequently they do not want Bonneville power.

I for one can see absolutely no justification for authorizing or making available funds for building a line into Lewiston, Idaho, or for going down into Oregon to the town of Pendleton.

There is another reason why I am opposed to this. If we authorize the line to Pendleton, then in a year or so they will extend the line down to La Grande, in the district of the gentleman from Oregon [Mr. PIERCE]. I do not know what the situation is down there, but I have been informed that they have a reclamation project proposed down there that some day they might want to develop power of their own down around La Grande. La Grande is a town of about 7,000 or 8,000 people. The gross revenue we could expect from there would be around \$30,000 or \$35,000, and you cannot amortize this kind of expenditure, charging off depreciation and interest on invested capital, and ever recover or recapture the investment for the taxpayers. So as a purely balance-sheet proposition it occurs to me that this is a speculative undertaking, and it ought to be stricken from the bill, and it will be if this amendment is adopted. It should not be undertaken until the Bonneville administration can justify on a

market-outlet basis that there is some reasonable hope over a period of time of recapturing the investment that is now proposed to be made of money belonging to the people of the United States of America.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. MAY. Are these cities the gentleman just mentioned already supplied with electricity by private concerns?

Mr. DIRKSEN. Yes; by private companies. Now, I hold no brief for the power companies out there. I suppose some of them are operating some plants, possibly not as efficiently as they should, and maybe their rates are not quite as low as they ought to be; I do not know. It has been testified, however, that in this particular area they have got rates so low that if you add the interest on the investment you will be on a T. V. A. basis.

Mr. MAY. Mr. Chairman, will the gentleman yield further?

Mr. DIRKSEN. I yield.

Mr. MAY. The gentleman has not, of course, had the privilege of reading the hearings before the Committee on Military Affairs on the tax situation in Tennessee, but I want to say to the gentleman that the State of Tennessee is practically destroyed from a revenue standpoint. Public-health activities are being suspended, and schools are going to be suspended unless something is done about it. If we go out around the Columbia River and start to take business away from private utilities they will be faced with the same situation cut there.

Mr. DIRKSEN. The problem of tax displacement will not arise in the Bonneville area in the same proportion that it did in the Tennessee Valley area.

I do not approach this question from the standpoint of tax displacement, but I say that in a sparsely settled country like this, with so few people, they ought to wait a little while to see whether there is justification for expending \$4,000,000 on a line that under no conceivable circumstances can ever return the investment. It is only a common-sense, sound, business approach to the problem involving the expenditure of this money; therefore we ought to interdict the expansion and the construction of these two lines in that area.

Mr. AUGUST H. ANDRESEN. Will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. I understand that the Bonneville Authority is selling the Mellon interests electricity at 3 mills. Can the gentleman tell me what the ordinary people buy this electricity for?

Mr. DIRKSEN. They have a varying rate out there. They have a gross rate that is based on kilowatt-year usage. They have been talking about 2 mills per kilowatt-hour, but that does not enter into the picture, in my judgment. I say that before we expend \$1,400,000 to go 65 miles with a line to a town of 7,000 people, which at the very most can only return from \$30,000 to \$35,000 in aggregate power revenues, we ought to take a piece of paper and pencil and figure out in a very substantial way to see where we are coming out so far as a Federal investment is concerned, and we will not come out. When we remember that the prohibition on the Bonneville Power Administration is that they have to sell their power to public-utility districts, to municipalities, and to large industries, not small consumers, it will be seen that they have to find an outlet through towns and public-utility districts. In this particular area, Pendleton, for instance, voted not to come into a county utility district, and other communities in that area have voted these P. U. D.'s down. As a result, I see no hope of ever recapturing this money, and it occurs to me that is a question we should consider before we load the Federal Treasury with another \$4,000,000 of expense.

[Here the gavel fell.]

Mr. LEAVY. Mr. Chairman, I am wondering if we can determine how many Members want to speak on this amendment.

Mr. PIERCE. Mr. Chairman, I want 10 minutes to reply to the gentleman from Illinois [Mr. DIRKSEN].

Mr. WHITE of Idaho. Mr. Chairman, I ask for 10 minutes.

Mr. LEAVY. I shall have to object to 10 minutes. Each Member may have 5 minutes.

Mr. PIERCE. He saw fit to abuse my country for 10 minutes and I want to tell the facts.

Mr. LEAVY. Mr. Chairman, we cannot finish this bill if all Members take 10 minutes.

Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 50 minutes, and that the committee be given 8 minutes in which to close the debate.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington [Mr. LEAVY]?

Mr. WHITE of Idaho. Mr. Chairman, unless I can get 5 minutes I shall object.

Mr. WIGGLESWORTH. Mr. Chairman, reserving the right to object, may I ask the gentleman from Washington if his request might not be limited to this particular amendment? I know of two other amendments to be offered to the paragraph as a whole on this side of the House.

Mr. LEAVY. I am anxious to expedite the consideration of this bill, which contains 144 pages. Unless we expedite its consideration, we will spend an unreasonable time on it. How much additional time does the gentleman from Massachusetts desire?

Mr. WIGGLESWORTH. I think we ought to have 15 or 20 minutes in addition.

Mr. LEAVY. Can the gentleman get along with 10 minutes?

Mr. WIGGLESWORTH. Ten minutes on each of two amendments. Cannot the gentleman limit his request to the pending amendment?

Mr. SCHAFER of Wisconsin. Mr. Chairman, I call for the regular order.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington [Mr. LEAVY]?

Mr. WIGGLESWORTH. Mr. Chairman, I object.

Mr. LEAVY. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 1 hour and 10 minutes, the last 10 minutes to be reserved for the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington [Mr. LEAVY]?

Mr. MOTT. Mr. Chairman, reserving the right to object, it is rather difficult for us who are interested in this particular item to agree to limit debate when we do not know what the two other amendments are. If we can find out, we may not object.

Mr. WIGGLESWORTH. Mr. Chairman, further reserving the right to object, may it be understood that 20 minutes of the time will be reserved for the other two amendments, so that all three amendments will not be taken up together?

Mr. LEAVY. The unanimous-consent request was made with the understanding that 20 minutes would be reserved for the consideration of the two amendments referred to by the gentleman.

The CHAIRMAN. Is there objection to the modified request of the gentleman from Washington [Mr. LEAVY], that all debate on this paragraph and all amendments thereto close in 1 hour and 10 minutes, 20 minutes of which time shall be used for the two amendments to which the gentleman from Massachusetts [Mr. WIGGLESWORTH] referred?

Mr. MOTT. Mr. Chairman, I object.

Mr. LEAVY. Mr. Chairman, I move that all debate upon this amendment and all amendments to this paragraph close in 1 hour and 10 minutes, the last 10 minutes to be allotted to the committee, and 20 minutes of that time to be given to the consideration of two amendments that have been suggested by the gentleman from Massachusetts [Mr. WIGGLESWORTH].

The motion was agreed to.

The CHAIRMAN. In order that there may be no misunderstanding, the Chair has the following list of Members requesting time within the time fixed: The gentleman from Mississippi [Mr. RANKIN], the gentleman from Oregon [Mr. PIERCE], the gentleman from Oregon [Mr. ANGELL], the gen-

tleman from Oregon [Mr. MOTT], the gentleman from Pennsylvania [Mr. RICH], the gentleman from Idaho [Mr. WHITE], the gentleman from Illinois [Mr. KELLER], the gentleman from Kentucky [Mr. MAY], the gentleman from Washington [Mr. LEAVY], and the gentleman from Massachusetts [Mr. WIGGLESWORTH].

The gentleman from Oregon [Mr. PIERCE] is recognized for 5 minutes.

Mr. PIERCE. Mr. Chairman, there are living today a quarter of a million people in eastern Oregon and southeastern Washington. At one time I owned and managed the electric power company and the transmission lines connected with the distribution system at La Grande, a small segment of the country under question. I sold that company more than 30 years ago. At that time I was collecting \$5,000 a month and had an income of \$60,000 a year. The company was sold to the big fellows for \$300,000. Talk about income, why, there is plenty of income there.

I will thank the gentleman from Illinois to give me his attention. I listened to him and listened to his clear misstatements. I am entirely familiar with the propaganda of the power companies which he put over in a clear way.

The company that now controls us is a part of Electric Bond & Share. Ours is a rich field for the sale of electric current at low, reasonable rates. That company is selling its electric energy in our country at nearly three times the rate that is being charged in Tacoma or west of the mountains. These power companies are charging extortionate rates.

In the territory to which the gentleman would deny Bonneville current there are several R. E. A. organizations which have as many as 1,000 customers that want to take power from Bonneville. When the districts organized by the R. E. A. want power they now buy of the Pacific Light & Power Co. which is controlled by the Electric Bond & Share. They pay three times the rate they would pay for power from Bonneville.

The cost of these transmission lines will all be repaid within the time limit. No other part of the country is paying the excessive electric rates the Inland Empire is paying. There are possibly sections in there that are solely wheat-raising sections, but there are also large sections of that area that are susceptible of close irrigation, and people will live there by the thousands. They are flocking in now. The quarter of a million now in that country will be a million within a short time. I have given fifty-odd years of my life to that country, and I know about it.

There has been talk about duplicating the lines. The power that comes in there now comes over a 66,000-volt line. The line now contemplated is a 110,000-volt line. Over a 110,000-volt line you will get four to five times as much power as you can get over a 66,000-volt line. The 66,000-volt line means a 15- to 18-percent loss. A 110,000-volt line with a 100-mile transmission means a 5- or 6-percent loss. So there is a vast difference between the proposed Bonneville lines and those now in use. The lines that are there now are all low-voltage lines.

This transmission line should be built because there is no better field anywhere in the country than right there for the sale of electric energy. There is nothing better you can do for the people than to give them Bonneville power, for which there is an eager and a ready market. How much power are we taking now? Precious little. About one-half the farmers are being served, not over that, and they are paying an extortionate rate for the service they are now getting. If they could have Bonneville power, they would take all the line could give them in that territory, and within the time limit the project would pay out. These sections of Oregon and Washington are on the Columbia River and are entitled to Bonneville power. Very naturally, the Electric Bond & Share wants to keep the territory for themselves.

Pendleton is a city of 8,000 people; La Grande has 10,000; and there are other growing, prosperous cities. Public-utility districts are already being formed everywhere. It is in the air. Why should all the Bonneville current flow west?

The propelling force behind the move to cut the Bonneville transmission and marketing appropriation is the Electric Bond & Share Holding Co. This holding company has three operating companies serving that part of Oregon and Washington east of the Cascade Mountains.

In eastern Oregon residential bills for the small consumer using up to 100 kilowatt-hours per month are, on the average, 2.61 times as high as similar Tacoma bills. The eastern Oregon stove and water-heater consumer pays two and thirty-nine one-hundredths times as much as a like consumer does in Tacoma. In southeastern Washington these ratios are 2.10 and 2.03.

Rural cooperatives in this section are paying the private companies at least 2.5 to 2.8, the Bonneville wholesale tariff. A few cooperatives in this section are paying up to three times the Bonneville price for wholesale current. With 100-kilowatt-hour metered use, the difference between present purchased wholesale price and Bonneville wholesale rates represents \$12.50 per farm per year. With the increased use of drudgery-relieving appliances, each farm would save \$25 per year in the wholesale price alone.

No wonder the Bond & Share group is using every possible effort to kill Bonneville appropriations and thereby keep cheap power out of the eastern part of these two States. The Bond & Share representatives admit that this is their purpose. A careful reading of the testimony before the committee discloses the efforts of the private-power overlords in trying to strangle the rural and domestic consumers of this great section.

Every device known to the business is being used in this effort. False issues are raised to cloud the actual facts.

Eastern Oregon and southeastern Washington have a population of 248,000 people, 91,000 of this total live on farms. This eastern region is devoid of fuels. It is also lacking in installed hydro capacity. The installed hydro capacity of southeastern Washington and eastern Oregon is represented by 26,300 kilowatts. This installed capacity gives a ratio of 105 kilowatts per thousand population.

If rates were as low and use as great as in other parts of these two States, there would be immediate area deficiency of 63,700 kilowatts of installed capacity. This figure represents the immediate potential market of this eastern country if all the available farms were served and the electric rates were lowered. From the experience in other sections of both States, under similar conditions, there will be in a few years a deficiency of 99,500 kilowatts of capacity. If initially only 50 percent of this potential market is reached, the revenue accruing from the lines serving this area will be \$875,000 per year. This revenue would warrant a present expenditure on a return basis of \$3,500,000, which is below the Budget estimate for proposed eastern lines. With the lowering of rates this revenue will be doubled in a few years. The lines that were set out in the Budget estimate are actually less than conditions and earnings justify for this accessible well-farmed area. In the eastern counties of my district 42 to 72 percent of the occupied farms do not have electricity. The average cash income of these eastern unserved farms is in excess of the State average. This section has an unserved farm population of 45,000 people and an immediate rural market for 15,000 kilowatts. The population of this section is increasing rapidly and will continue to do so because of the irrigation projects under way and changes in the type of farming. Sugar beets, peas for canneries, dairies, and seed production are being substituted for the large wheat farms. People are moving at a high rate into this area from the Dust Bowl.

Notwithstanding a regional lack of fuels and a deficiency in hydro capacity, the area is served from long, low-capacity transmission lines. These lines transport power great distances, at comparative low voltage, from the Yakima, Lewiston, and Spokane areas. From these sources there are only two feed lines into northeastern Oregon, namely, from Pasco and Walla Walla into Pendleton. These lines are 66,000-volt lines with conductors known in the trade as single Zero copper. The average transmitted distance from the

power sources over these lines is some 115 miles and the nominal capacity of such lines at this voltage is low. For the farmers and the residential consumers of eastern Oregon to secure lower rates, larger line capacity will be necessary. The existing private lines have only one-fourth to one-fifth of the capacity required to adequately serve this area if our farmers and our people are to secure service at low rates. It seems to be the policy of the private companies to install low-capacity transmission lines in order to keep the rates up.

In southeastern Washington and contiguous territory there are 12 newly formed but successful rural R. E. A. cooperatives. These cooperatives have, within the last 8 months, built over 1,500 miles of farm lines. These cooperatives are purchasing temporarily from the private power companies until low-priced Bonneville current is brought to them. No wonder the Electric Bond & Share desires to keep Bonneville transmission lines away from this eastern market. No wonder our farmers in this eastern country are crying for the erection of Bonneville lines. Is not Congress large enough to tell the Bond & Share operators that we know how to run this Nation's business? Do we have to sit up and take our orders from these overlords, who have so padded their capital structures that the properties in question have the highest book value per customer of any private utility in America? When you vote on these reducing amendments, remember that they were inspired by the Electric Bond & Share Co. for the sole purpose of keeping low-priced current away from our eastern farmers.

These lines were in last year's Budget, and should have been built, as they were included in last year's appropriations which passed the Congress. Now, again, the appropriation for the lines is included and evasion of the clear intent of the law will no longer be possible.

Mr. Chairman, I ask my friends in this House to vote down this amendment. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Oregon [Mr. ANGELL] is entitled to recognition for 5 minutes.

Mr. ANGELL. Mr. Chairman, I reserve my time, if I may, to speak on the other amendment which is more important than this one.

The CHAIRMAN. The gentleman from Oregon [Mr. MOTT] is entitled to recognition for 5 minutes.

Mr. MOTT. Mr. Chairman, I would like to have my time on the amendment of the gentleman from Massachusetts.

The CHAIRMAN. The gentleman from Idaho [Mr. WHITE] is recognized for 5 minutes.

Mr. WHITE of Idaho. Mr. Chairman, I was very much interested in the statement of the honorable gentleman from Illinois [Mr. DIRKSEN] as to the insignificance of this proposed project and the unimportance of the country to be served. He refers to the small town of Pasco. I wonder if he knows where or what Pasco is. I wonder if he knows that Pasco is the junction point at the confluence of the mighty Snake and Columbia Rivers and one of the great railroad centers of the Northwest. The gentleman talks about the small town of Lewiston. I am wondering if he knows just where Lewiston, Idaho, is, and what it stands for. I wonder if he knows that Lewiston is at the confluence of the Clearwater and the Snake Rivers and is one of the important commercial centers in Idaho. And when the resources of the immense country tributary to the junction of these rivers is developed will be a great industrial center.

I am wondering if he knows that the greatest stand of timber owned by the Federal Government is in the country tributary to Lewiston, up the Clearwater River, up the Salmon River, and up the Snake River. I am wondering if he knows that the greatest undeveloped section of the United States is in this area of the Northwest which is tributary to the Snake, the Clearwater, and the great Salmon River drainage basin.

Mr. HILL. Mr. Chairman, will the gentleman yield?

Mr. WHITE of Idaho. I yield to the gentleman for a question.

Mr. HILL. Did not the gentleman hear the gentleman from Illinois state two or three times that he did not know about this thing? The gentleman made that statement and evidently he does not know anything about it.

Mr. WHITE of Idaho. It is just like the statement that Proctor Knott made at one time here about Duluth, which turned out to be one of the greatest producing sections of the country.

I would like to remind the gentleman from Illinois that there are 30 miles of iron deposits in the Clearwater country behind Lewiston. I would like to remind the gentleman from Illinois that the West has to come East for its iron products, but with electricity and electric smelting we can produce our own iron and develop our own country, build up western industries, and be a market for the things that they produce in the East.

I would like for the gentleman from Illinois to know something about the proposed development of this country and the need for electric energy and cheap power. I want to substantiate what my good friend from Oregon [Mr. PIERCE] said. We need high-tension power lines to transmit cheap electricity.

I have here a map of Idaho and I call your attention to the location of Lewiston and to the location of this great forest section owned by the Federal Government. All that timber is waiting to be manufactured by cheap power. We want to build pulp and fiber mills, we want to develop that country and continue on the path of progress in this country, and the utilization of the power of Bonneville and the transmission of that power to this great area of Federal-owned resources is a great step forward.

This is a conservation measure. This is a constructive measure, and it will do more good and be of more benefit to the United States, and particularly to the Federal Government, than anything this Congress can do; and do not forget that it will repay every dollar that is expended. This is a reimbursible project. It is a development project, and it is a utilization of a big investment that has been made at Bonneville, and I earnestly urge that the Committee vote down this amendment and do the thing that was originally intended to be done, and develop our own resources and bring revenue to our Federal Government by utilizing the timber and the minerals in all this great undeveloped country that is tributary to Lewiston in the States of Idaho, Oregon, and Washington. Providing transmission lines for this power will be a great forward step.

Mr. PIERCE. Mr. Chairman, will the gentleman yield?

Mr. WHITE of Idaho. I yield.

Mr. PIERCE. Is it not true that that country today is yielding a revenue to the Bond & Share of \$1,000,000 a year, and that is right now?

Mr. DIRKSEN. Mr. Chairman, will the gentleman from Idaho yield?

Mr. WHITE of Idaho. I yield to the gentleman from Illinois.

Mr. DIRKSEN. In response to the gentleman's recurrent questions, may I say to him that I think I do know, and I also know how to take a piece of paper, irrespective of whether it is in Oregon, Illinois, or Florida, or Texas, and figure out what an investment has to earn before the taxpayers can come out with a whole skin.

Mr. WHITE of Idaho. I will say to the gentleman that Mr. Proctor Knott, in talking about building a bridge at Duluth many years ago, presented the same theory that the gentleman from Illinois is presenting here now, and the day will come when we will develop this country, and it will take its place as a great producing section of the United States comparable with the country in Pennsylvania and the gentleman's whisky-producing section of Illinois. [Laughter.]

Mr. DIRKSEN. Why does not the gentleman tell the House how many people are out there?

Mr. WHITE of Idaho. It is not a question of how many people are there. It is the development of our country and the people it will bring there.

Mr. SCHAFER of Wisconsin. Mr. Chairman, will the gentleman yield for a brief question?

Mr. WHITE of Idaho. I yield.

Mr. SCHAFER of Wisconsin. The gentleman is in favor of the Government developing cheap electricity. Is he in favor of the Government producing cheap silver or mining cheap silver?

Mr. WHITE of Idaho. I am in favor of anything that will develop our country. [Applause.]

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. KELLER] for 5 minutes.

Mr. KELLER. Mr. Chairman, if I may, I desire to yield my time to the gentleman from Oregon, Governor PIERCE, later in the debate.

The CHAIRMAN. The gentleman from Kentucky [Mr. MAY] is recognized for 5 minutes.

Mr. MAY. Mr. Chairman, I am very much in favor of the Dirksen amendment not merely on the ground of economy but because of a proposition that I think is involved in this legislation that is of vital importance and reaches to the very heart of the program. I have had just a few years' acquaintance with my distinguished and amiable friends on the committee, the gentleman from Washington [Mr. LEAVY] and the gentleman from Oregon, Governor PIERCE. They are very excellent and able Members of this House and very fine gentlemen. Anything I say about this proposition is not personal, nor is it particularly with any delight in differing from them.

I oppose this legislation upon the fundamental belief that there are two schools of thought in this country, one that believes in the capitalistic system and one that, whether it believes in the capitalistic system or the socialistic system, is promoting and supporting a program that will ultimately lead to the socialization of the electrical industry throughout this country. That is the ground principally on which I oppose this program. That is based upon my study of the subject for several years, plus my last 2 months of dealing with the conditions that have been brought about in the States of Tennessee, Alabama, and Georgia, and in other States of the South, by reason of the Congress allowing the Government to buy out and take over private utilities and put them into Government operation. I say to you now that, in my judgment, there has not been a more serious problem for the people of Tennessee and surrounding States since the days of reconstruction than they have in those States now. It means that unless Congress does something about it—and I do not know what it is going to do in the matter—for the next year these Southern States are going to be largely compelled to discontinue public-health activities, to largely discontinue their schools, because of the withdrawal of private properties from taxation. If anyone can tell me that the Federal Government by subsidizing a proposition like Bonneville, that goes out and builds transmission lines and authorizes it to go into the markets and take away from private facilities the markets they have, is not going to create a similar condition in the Northwest to that which we have in Tennessee, I would like to have him explain that.

Mr. WHITE of Idaho. Mr. Chairman, will the gentleman yield?

Mr. MAY. I am sorry, but I have only 5 minutes.

On page 266 of the hearings on this bill there is set forth a letter sent to the committee by Dr. Thompson, secretary of the Public Ownership League of America. I suppose everybody here knows what that is and knows that there are a few estimable gentlemen in this House who are sponsors of that program. This gentleman who wrote this letter to the committee was up in Oregon at the time. Here is what he says:

As a matter of fact, I am now in Portland helping in this work in a general way and incidentally, along the same lines, endeavoring to stimulate our public-ownership organizations throughout the Northwest and Pacific States.

What they mean to do is not merely to take over a few towns around Bonneville, but they are going to take over the States of Washington, Oregon, and California, and when they do that, then the Congress will be asked to refund in taxes

removed possibly \$75,000,000 or \$100,000,000 that are now being paid by private utilities in that area, and when they do that they socialize the electrical industry and abandon the capitalistic system.

The CHAIRMAN. The time of the gentleman from Kentucky has expired. The gentleman from Mississippi [Mr. RANKIN] is recognized for 5 minutes.

Mr. RANKIN. Mr. Chairman, before this Congress adjourns we should establish a blind school for Republicans, in which to train their candidates, and we should also provide a special dispensation so that the gentleman from Kentucky [Mr. May] and a few other Democrats who are still wandering around in the dark can attend. [Laughter.]

I want this blind school for these Republicans and a few benighted Democrats who are still fighting the T. V. A., the R. E. A., and the rest of our power program, so they can learn to read the Braille system, because their platforms will have to be published in Braille, as they are evidently going to hold their conventions and other political meetings in the dark.

In addition to their records here in opposing every effort to bring cheap electricity to the American people, they evidently desire to keep the farmers in the dark. I have just read three platforms proposed by three candidates for the nomination for the Presidency on the Republican ticket, one by Mr. Taft, of Ohio; one by a Mr. Gannett, who lives in New York State, I believe; and one by Mr. Dewey, who also lives in New York. They go into great detail about what they are going to do for the farmer. I should say what they propose to do to, instead of for, the farmer—because they propose to go back to the old system of plundering the farmers of this country through high protective tariffs for the benefit of big industries and other special interests—but they evidently propose to leave him in a complete black-out so far as rural electrification is concerned.

Not a single one of them mentions rural electrification a single time, the one thing in which the farmers of this country are most vitally interested. I am going to show some of the conditions that prevail in your States before this Congress adjourns, and especially the conditions in the district of the distinguished gentleman from Kentucky [Mr. May], who seems to devote about all his time to fighting the T. V. A., the greatest development that ever came to the people of Kentucky.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I will yield for a question.

Mr. MAY. Aside from the fact that I have cheap electric lights in my home, which I think the gentleman is going to talk about, I want to ask him if he has read Norman Thomas' socialist platform on the public utilities?

Mr. RANKIN. No; I have not; I am not interested in it. But I am familiar with the electric light and power rates in the district represented by the gentleman from Kentucky [Mr. May]. They are so high as to amount to almost a complete black-out. For instance, a merchant in his home town of Prestonsburg, Ky., pays as high as 9 cents per kilowatt for electricity, or did when the last report was issued a month ago. He has to pay \$9 for 100 kilowatt-hours, which in my town, Tupelo, Miss., would cost him \$2.50. [Applause.]

The gentleman from Kentucky [Mr. May] says he has cheap electricity in his home. He may have for all I know. But the rest of the people of his district are overcharged on an average of 100 percent or more. And I think if he will investigate his light and power bills he will find that he is being overcharged to the same extent.

As to his commercial consumers; that is, the merchants, hotel, restaurant, and filling-station operators, professional men, and others who have to pay commercial rates for their electricity, the record shows that they pay about the highest rates in Prestonsburg and surrounding towns of any place in America.

The commercial rates in Prestonsburg, Allen City, Dwale, Martin, Lackey, Paintsville, West Van Lear, Blackey, Neon, Seco, Whitesburg, Salyersville, Dolan, Hazard, Elkhorn, Pikeville, and HELLER are as follows:

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Applicable to commercial consumers for lighting purposes, with incidental power permitted

Cents per kilowatt-hour	
First 100 kilowatt-hours.....	9
Next 100 kilowatt-hours.....	8
Next 200 kilowatt-hours.....	6
Next 1,100 kilowatt-hours.....	5
All over 1,500 kilowatt-hours.....	4

Now, here are the commercial rates for the same class of consumers in my home town of Tupelo, Miss.:

Cents per kilowatt-hour	
First 150 kilowatt-hours a month.....	2.5
Next 350 kilowatt-hours a month.....	2
Next 1,500 kilowatt-hours a month.....	1
All over 2,000 kilowatt-hours a month.....	0.8

Now, let us compare these rates and see how bad the commercial consumers in these towns in his home district are overcharged. We will just use his town and mine, Prestonsburg, Ky., and Tupelo, Miss.

	Kilowatt-hours									
	50	100	200	400	600	1,000	1,500	2,000	4,000	6,000
Prestonsburg, Ky.....	\$4.50	\$9.00	\$17.00	\$29.00	\$39.00	\$59.00	\$84.00	\$104.00	\$184.00	\$264.00
Tupelo, Miss.....	1.25	2.50	4.75	8.75	11.75	15.75	20.75	25.75	41.75	57.75
Difference.....	3.25	6.50	12.25	20.25	27.25	43.25	63.25	78.25	142.25	206.25

These commercial consumers seem to just pay rent to the power company to get to do business in their own establishments.

Remember that Prestonsburg and every other town in the gentleman's district is within the distribution radius of the T. V. A. at Norris Dam. Remember, also, that electricity can be generated anywhere in his district, with coal produced right at home, and distributed to the ultimate consumers at the T. V. A. yardstick rates, or at the rates prevailing in Tupelo, Miss., if not lower, with ample returns on legitimate investments.

But the trouble is the coal barons and the Power Trust are working hand in glove. They are not interested in the ultimate consumers of either coal or electricity; what they are after is to wring from the consumers of both coal and electricity every penny the traffic will bear.

At a later date I hope to take up the rates in that area—residential, commercial, and industrial—and show how those people are plundered by exorbitant overcharges for electricity for all purposes.

The opposition will probably come back at me with the same old misleading statement about taxes. But the facts are that the municipal plant at Tupelo pays a larger percentage of its gross revenues in taxes than does the Kentucky & West Virginia Power Co. that operates in this particular area.

The people of Kentucky were overcharged \$8,914,000 in 1938, which was \$3,400,000 more than the value of the entire wheat crop of Kentucky for that year. The commercial consumers alone in Kentucky were overcharged \$2,934,000, and if they had all paid the exorbitant rates charged the people in this particular area their overcharges would have amounted to a great deal more.

I am glad to support the distinguished gentleman from Oregon [Mr. PIERCE] in opposition to efforts now being made to cripple the Bonneville project, one of the greatest blessings that has ever come to the people in that great northwestern section of the country.

Those people who are to benefit from Bonneville throughout the coming years will owe a lasting debt of gratitude to the distinguished gentleman from Oregon for his services in helping to bring this development about and to provide the means of transmitting the power generated at Bonneville to the ultimate consumers, and especially to the farmers throughout that section of the country.

I have often said of him—and I say it again—that in my humble judgment he has rendered those people the greatest

service of any man his State has sent to Washington, in your day and mine.

This attempt to cut down the appropriation for Bonneville is nothing in God's world but playing into the hands of the Power Trust, one of the worst monopolies this country has ever seen—one that is robbing the ultimate consumers of electricity in practically every State of this Union and pouring out all of this propaganda about how the T. V. A. is injuring the people of Tennessee. There is nothing at all in their statements, absolutely nothing. Simply because we have asked for a reallocation of the small amount of 12½ percent that is already charged to the wholesale purchasers of electricity generated by the T. V. A., merely because those counties whose lands have been flooded ask for a reallocation of those funds, asked that instead of paying them to the States the T. V. A. be authorized to pay them back to these counties to take the place of the taxes they would have received on these lands that have been flooded, and gradually let them down until they can pay off the outstanding bonds especially in their school districts—because of the request for this correction, these enemies of the T. V. A. come out with a great hullabaloo of propaganda to the effect that Tennessee is being ruined by the T. V. A. If there is any man in this House or elsewhere who ought to know better, he is the chairman of the Military Affairs Committee, the gentleman from Kentucky [Mr. MAY]. [Applause.]

Mr. VOORHIS of California. Will the gentleman yield?

Mr. RANKIN. I yield for a question.

Mr. VOORHIS of California. I just wanted to observe that the people on the Pacific coast in the section I come from, the city of Los Angeles, have had for years a publicly owned bureau of municipal light and power, and our rates have been reduced seven times since 1929. We would not give it up for anything.

Mr. RANKIN. Certainly not. If you will look at the CONGRESSIONAL RECORD, page 2238, you will find a speech that I made on Friday, in which I take up the municipal plants of the various States of the Union. I show that they can all generate and distribute power as low as the T. V. A. rates, or lower. But instead of that they rise here and try to destroy Bonneville, try to destroy the T. V. A., try to destroy Grand Coulee, try to destroy rural electrification, and all the rest of these other beneficent projects. When you do that you are helping a ruthless octopus, or monopoly, that is wringing from the American people overcharges for electric lights and power amounting to as much as \$1,000,000,000 a year, aiding that ruthless monopoly to hold your people in Egyptian bondage.

You have got to meet this issue, every one of you. This is the fight of the American people against the corrupt interests that have robbed and plundered them through electric light and power rates for the last 40 years. Thank God the time has come when they are able to defend themselves, and their weapon this year will be the ballot. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The gentleman from New York [Mr. TABER] is recognized for 5 minutes.

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield for an observation?

Mr. TABER. I yield to the gentleman.

Mr. DIRKSEN. If I had in mind crippling this program my amendment would have been worded to stop any power lines going into Tacoma or Seattle or Salem or other places. This has been limited to two over on the eastern side, and there is not a soul who has stood up on the Democratic side and, by dollars and cents, made out a case. The gentleman from Idaho [Mr. WHITE] has confessed the case. He says it is speculative. That is why that amendment should be adopted. If you want to match figures, I will put them down on paper any time. We picked out two lines to show you that you cannot justify them by the figures of the English language. I defy anybody on that side to justify it on a dollars-and-cents basis. Why did not the gentleman from

Mississippi [Mr. RANKIN] talk on the amendment instead of making a grand speech about power?

Mr. TABER. Mr. Chairman, I do not yield further.

This amendment is offered not for the purpose of crippling Bonneville, but for the purpose of protecting it from those people who would load it up with expenditures that it cannot carry and produce upon. There is no such thing as anyone on the floor that I know of thinking for a minute of protecting the interest of power companies. I do not know anything about them.

Every time anyone comes out here and tells the truth about some of these projects, someone who does not debate the real issues that are before us comes out and hollers about the power companies. Now, let us see what there is to this situation and whether we can afford to go on and spend money putting up power lines that will not produce.

These people already have contracts with the Aluminum Co. of America for 32,000-kilowatt capacity at \$17.50 per year per 100 kilowatts. Now, what does this mean? This means 1¼ mills per kilowatt; and the best that the Reclamation Service could figure to produce electricity and sell it for at Boulder Dam was 2¼ mills per kilowatt. They are hardly going to break even on that proposition. When are we going to show any sense; when are we going to be honest with the American people? Or are we going to holler about the power companies? Let me say to you that every dollar of this deficit that comes from charging less than the stuff costs is going to be taken out of the American taxpayers. It is not going to be a benefit to the American people.

Mr. PIERCE. Mr. Chairman, will the gentleman yield?

Mr. TABER. Let me cite a few more figures. I want the gentleman to learn something about his project. The hearings show that the cost of these transmission lines and power installation would run \$50,000,000. You have got to figure on a basis of 16 or 17 years' obsolescence and depreciation. This means a charge of \$3,000,000 a year. You have got to figure interest at 3½ percent. This means \$1,760,000, or a total in these two items of \$4,777,000.

Mr. WHITE of Idaho. Mr. Chairman, will the gentleman yield?

Mr. TABER. When I get through.

The allocated cost of the dam is \$50,000,000, according to their own figures. The interest on that is \$1,750,000, and they are required to depreciate it in 40 years, under the law. This depreciation item amounts to \$1,250,000 annually. These items on the dam amount to \$3,000,000 annually, or the total on the dam and the transmission lines amounts to \$7,777,000 annually. They claim in their set-up in the hearings a possible income of \$9,000,000. Let me say to you that on the basis of operating as they say, 85,000 kilowatts, or one-fifth of the total capacity of 440,000 kilowatts, this 85,000 kilowatts producing \$55,000 a month, or \$660,000 a year, shows a total possible net income from full operation of \$3,300,000. Where are we? Let me tell you, we want to think twice about extending power lines where we cannot afford to carry them. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Washington [Mr. LEAVY] is entitled to recognition for 10 minutes.

Mr. LEAVY. Mr. Chairman, I desire to divide this time and reserve 5 minutes of it to answer arguments on other amendments that may be offered.

The CHAIRMAN. The gentleman from Washington [Mr. LEAVY] is recognized for 5 minutes.

Mr. LEAVY. Mr. Chairman, it sometimes appears to me to be rather a discouraging situation to stand in the Well of this House and talk to my colleagues upon a matter on which they entertain either such partial views on the one side or such bitter prejudices on the other. Argument and persuasion has little weight or consideration with many of them.

As to whether or not the Bonneville project should have been undertaken is certainly water over the dam. It is a great navigation project, it is a great flood-control project, and thousands of tons of freight now moving through

the locks there and the region below the dam on to the sea is safe from the floods that it suffered in previous years.

The Government in its design saw fit to plan for 10 generating units and then the Congress set up the Bonneville administration. As a result of that we have gone along—there has been a fight each year—but \$23,000,000 has been appropriated or allocated for transmission lines. We found ourselves last year with this great undertaking capable of generating 86,000 kilowatts of electrical energy in its first 2 units and ready to sell at 2 mills a kilowatt-hour, but we could not carry it away as we had no lines. We secured an appropriation that made it possible to carry energy as far as Portland and a little beyond; and this year the receipts are over \$1,000,000. With but 2 generating units in and complete, on sales made in the next fiscal year, less than 20 percent in production, the receipts will be \$2,200,000.

Coming to the gentleman's amendment, shall we restrict the construction of these two lines referred to in the amendment? And I grant that is a debatable question, as is every question, upon which honest minds differ, but I assume that there is not a man or woman in this House, I care not how intelligent he or she may be, that can pass an honest judgment upon that issue without having some knowledge of the facts. I cannot see how anyone would want to do that. At least you ought to read some 100 or 150 pages of the hearings detailing facts on this matter. My good friend from Illinois says we start from the little town of Pasco. Pasco is a town of 5,000, with another 2,000 just across the river at Kennewick—7,000 people. One hundred and fifty thousand people live within 50 or 60 miles up the Yakima Valley. This line goes to Walla Walla. Walla Walla is a city of some 20,000 people located in the center of a rich irrigated section where almost another 20,000 live. The line also goes through Milton and Freewater, 2 other towns there with some 2,000 people. Each 10 or 20 acres of land is maintaining a family in that region, where there is ample water for irrigation.

At Pendleton there are 7,000 or 8,000 people. Through that region traversed by this line there are a large number of new R. E. A.'s.

From Walla Walla the line as projected goes to Lewistown, which is just on the State line between Washington and Idaho on the Snake River at the confluence of the Snake and the Clearwater Rivers.

That is the only point that these projected lines touch Idaho at all. It then goes northwestward toward Colfax and Spokane, in one of the richest agricultural countries in America, a county that 10 years ago boasted of the greatest per capita agricultural wealth of any one of the 3,000 counties in this country. There they reach hundreds of farmers who, until R. E. A. came into the picture, had no service. I grant that probably they will take some of the present consumers of the Washington Power Co. that is now serving the region, but that company never had these customers till the Government built R. E. A. lines, and the rates from the private company are about two and one-half times what Bonneville power will cost. An examination of these hearings will show, and I say this regardless of your belief in reference to public or private power, that Bonneville will pay out not in 40 years but within the next 20 years, even at 2 mills per kilowatt-hour. If you want to assume, and if you can get any happiness and satisfaction out of it, that the Republicans are going to gain control of this Congress in 1941, you certainly want to be able to have this project in which some fifty or sixty million dollars have been invested made as usable as possible.

Mr. Chairman, this amendment should be voted down unless you just want to cripple this great undertaking now and later on give it away.

Mr. DIRKSEN. Will the gentleman yield?

Mr. LEAVY. I yield to the gentleman from Illinois.

Mr. DIRKSEN. I think the gentleman from Washington has made the best speech for my amendment of anyone, because he says the building of these two particular lines is

debatable at this time, and that is the reason my amendment should be agreed to.

Mr. LEAVY. Yes; but everything here is debatable—few things in this life are susceptible of absolute proof. It is not a concession that the gentleman is right or that I am wrong, merely because I admit a known fact. Through the years to come both Bonneville and Grand Coulee will bring blessings and happiness to millions, and unless in some foolish moment we turn them over to selfish interests, they will stand out as a great monument to the memory of all who had vision to assist in their creation. Let us defeat this crippling amendment. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. DIRKSEN].

The question was taken; and the Chair being in doubt, the Committee divided, and there were—ayes 49, noes 63.

Mr. DIRKSEN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. LEAVY and Mr. DIRKSEN to act as tellers.

The Committee again divided; and the tellers reported there were—ayes 70, noes 70.

So the amendment was rejected.

Mr. WIGGLESWORTH. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. WIGGLESWORTH: Page 12, line 24, after the word "system", strike out the period, insert a colon and the words "Provided further, That no part of this appropriation shall be expended for salaries or expenses of any persons engaging in activities contrary to or in violation of section 9 (a) of the act of August 2, 1939, Public No. 252, Seventy-Sixth Congress, or of the rules and regulations issued thereunder by the United States Civil Service Commission, Form 1982, November 1939."

Mr. DIRKSEN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DIRKSEN. How much time will be permitted on this amendment?

The CHAIRMAN. The gentleman from Massachusetts [Mr. WIGGLESWORTH] gave notice that two amendments would be offered and under the limitation of time, 20 minutes were reserved for the consideration of those two amendments.

Mr. DIRKSEN. Mr. Chairman, I am informed only one amendment will be submitted.

Mr. WIGGLESWORTH. Mr. Chairman, one of the two amendments will not be offered and I assume 20 minutes will be available.

The CHAIRMAN. Without objection, there will be 20 minutes on this amendment, and the Chair will endeavor to recognize two Members for the amendment and two against the amendment.

There was no objection.

Mr. WIGGLESWORTH. Mr. Chairman, this is a very simple amendment. I think it is almost self-explanatory. It merely provides that no part of this appropriation shall be expended for the salary or expenses of any person on the rolls of this agency engaging in activities in violation of the Hatch Act or of the regulations of the Civil Service Commission issued under that act. I offer this amendment, Mr. Chairman, in light of the testimony commencing at page 264 of the hearings on this bill.

The record indicates that considerable evidence was brought to the attention of the committee indicating activities on the part of Bonneville personnel which are forbidden under the Hatch Act. These activities included the carrying on of a propaganda campaign, participating in elections, and carrying on electioneering activities for the organization of public-utility districts.

The bulk of this evidence seems to have been excluded from the record. A sample of it, however, appears in a letter signed by Dr. Carl D. Thompson. Dr. Thompson is stated to be a Socialist, a magazine owner and secretary or president of the Public Ownership League of America. At the time of the activity referred to, Dr. Thompson was not only serving

the Public Ownership League of America but Bonneville, being carried on the rolls of the latter at a salary of \$5,600.

When Dr. Raver, the administrator at Bonneville, was asked if it did not occur to him that the activities referred to were in violation of the Hatch Act and other applicable laws, he replied in effect, that until the act was changed and he was specifically directed not to do so, he intended to continue that kind of policy.

If Bonneville activities are within the law, adoption of this amendment can do no harm. If they are in violation of the Hatch Act or the Civil Service Commission regulations, the proposed amendment will certainly be helpful.

Mr. CARTER. Will the gentleman yield?

Mr. WIGGLESWORTH. I yield to the gentleman from California.

Mr. CARTER. I have conferred with the minority members of the committee and they are perfectly willing to accept this amendment. They will have no opposition to offer to it. I am wondering if the majority members of the committee would be willing to likewise agree to the amendment.

Mr. FITZPATRICK. Would not the same personnel come under the Hatch Act?

Mr. WIGGLESWORTH. I assume they would.

Mr. FITZPATRICK. Why is it necessary to pass an amendment then if they come under the Hatch Act?

Mr. WIGGLESWORTH. I may say to the gentleman that I think it clarifies the situation and makes compliance with the Hatch Act doubly sure if we put in a provision of this kind.

Mr. FITZPATRICK. Does the gentleman expect to go further than the Hatch Act?

Mr. WIGGLESWORTH. No; the amendment simply enforces the Hatch Act.

Mr. FITZPATRICK. Is it not unnecessary to pass such an amendment if they are covered by the Hatch Act?

Mr. WIGGLESWORTH. No. I believe this gives better assurance that the will of Congress will be carried into effect than if the amendment is not adopted.

Mr. CARTER. Mr. Chairman, if the gentleman will yield further, I should like to know, if I may, from the members of the committee on the majority side, if there is any objection to accepting this amendment and obviating the necessity for further debate on it.

Mr. LEAVY. As near as I can understand it in a hurried manner, I believe there would be objection. I am fearful that the amendment is so broad that if a charge were made or if a fact were found that one of the thousand employees had violated the Hatch Act it would tie up the entire appropriation. Any employee who violates that act is now covered by the law, and this would seem to me to be mere surplusage.

Mr. WIGGLESWORTH. May I say to the gentleman from Washington that no such result as he suggests should follow from the amendment. In the case he suggests, it would simply serve to deny the payment of salary or expenses to the particular individual.

Mr. RANKIN. That is what the amendment says.

Mr. WIGGLESWORTH. That is what it is intended to say.

Mr. RANKIN. It would apply only to those who violate the law.

Mr. WIGGLESWORTH. That is right.

Mr. RANKIN. It would not apply to those who do not violate the law.

Mr. LEAVY. As far as I am personally concerned, I would have no objection because it is mere surplusage at most. That protection already prevails, if such is needed. Such a person would be subject to immediate discharge under the Hatch Act. This is just using words where we do not need them, except to satisfy somebody.

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield to the gentleman from Illinois.

Mr. DIRKSEN. It may be that that is what the law states, but it is questionable whether or not that practice has been carried into effect.

Mr. LEAVY. I grant that there was some question raised by a member of the subcommittee on that point about an employee a year ago. If the gentleman will check the record he will find that it was before the Hatch Act was ever enacted that the complaint that appears in these hearings was made. However, there is no complaint that this agency anywhere has violated the Hatch Act since it has gone into effect.

Mr. DIRKSEN. I am not sure.

Mr. LEAVY. If the gentleman will check the record I believe he will find I am correct.

Mr. WIGGLESWORTH. Do I understand that the chairman will accept the amendment?

Mr. LEAVY. I am not authorized to speak for the committee as a whole, but it just appears to me that it would be a safer course to give us an opportunity to study the effect of the proffered amendment before accepting it. It cannot possibly strengthen the situation. The gentleman seeks protection where we already have a law. The gentleman is just seeking to reenact for a single appropriation a provision of the law already existing.

Mr. WIGGLESWORTH. It makes the situation very much more clear. [Applause.]

[Here the gavel fell.]

Mr. HOOK. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I just want to ask a question of the gentleman from Massachusetts about this amendment. Can the gentleman inform me whether or not if this amendment is adopted it will prevent any of the employees or operators of the private power interests from participating in political activities?

Mr. WIGGLESWORTH. The gentleman knows very well that those employees are not on the Federal pay roll. The Hatch Act has no application to them whatever.

Mr. HOOK. That is just exactly my contention, that when you take away from the rights of the employees of the Federal Government or State employees as well the right to participate in questions that are interesting to them with respect to their government, you place in the hands of the private interests, the private monopolies, the right to control this Government. When you do that you have placed this Government in the very position Germany was when Hitler went in as dictator. When Hitler assumed power as chancellor in Germany his first step was to take away from the people the right to participate in political activity. The next thing that was done was to enact a law outlawing every other party except the National Socialist Party. They thereby set up their dictatorship. It is my contention that when you place in the hands of the private monopolies the right to participate in political activities and take away the right of others so to do, you are dangerously attacking democracy in this Nation. When you do that you are going dangerously close to the proposition of wiping out the two great parties in this Nation. I say that as long as we have Republicans and as long as we have Democrats we will not have any rotten "isms" in this country, but if we go along with the principle that is being advanced by the Hatch Act, no matter how laudable it may be, we are going a long way toward the end of eliminating those two great parties; and God forbid that that occur. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. WIGGLESWORTH].

The question was taken; and on a division (demanded by Mr. WIGGLESWORTH) there were—ayes 61, noes 83.

Mr. WIGGLESWORTH. Mr. Chairman, I demand tellers. Tellers were ordered, and the Chair appointed as tellers Mr. LEAVY and Mr. WIGGLESWORTH.

The Committee again divided; and the tellers reported that there were—ayes 83, noes 86.

So the amendment was rejected.

Mr. ANGELL. Mr. Chairman, I move to strike out the last word and ask unanimous consent to revise and extend my own remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Oregon?
There was no objection.

BONNEVILLE PROJECT FULLY JUSTIFIED

Mr. ANGELL. Mr. Chairman, Bonneville is in my district in Oregon; that is, the Oregon side of the Bonneville project; and I reserved time to speak on the other amendment on the subject which the gentleman from Massachusetts [Mr. WIGGLESWORTH] stated he would offer, but which was not presented. In my judgment, the other amendment would have been more detrimental to the Bonneville project than the one presented by the gentleman from Illinois [Mr. DIRKSEN], which we have just considered. For this reason I reserved time to speak on the other amendment.

I do not want to take your time for any extended discussion, now that this matter has been decided, but I do want to speak very briefly on one or two matters in connection with the Bonneville project.

On the opening day—March 5—when we considered this bill in general debate, I spoke at some length on the Bonneville project, which you will find in the RECORD of day before yesterday. The main consideration, of course, with reference to Bonneville is whether or not it is justified. As you will note, it is now completed, so far as the dam is concerned. Two of the operating units of the power project are in operation, two more will be in operation early in 1941, and two more in 1942, which will leave four to be completed later. Unfortunately, we did not have transmission facilities completed at the time the two first units of the power project itself were finished, and it was only last December 1 that we finally completed the first transmission line connecting the Bonneville plant with the Portland territory. For this reason the project has not had an opportunity to justify itself financially by reason of the fact we have had no marketing facilities.

The bill before us today for the Interior Department is to keep in step with the building of these power units as they come into production so that we may have transmission facilities available at the time the power is ready for distribution. We do not want to make the mistake we made before.

Mr. PIERCE. Mr. Chairman, will the gentleman yield?

Mr. ANGELL. I yield to the gentleman from Oregon.

Mr. PIERCE. Is it not true that the income right there at Bonneville now is \$100,000 a month and over the lines are going 79,000 kilowatts with a possible generation of 86,000, and the income this year will be around \$1,000,000, next year \$2,000,000; and 60 percent completed it will be over \$5,000,000, and fully completed it will be \$9,000,000 even at the present rate?

Mr. ANGELL. I think the gentleman is substantially correct. As I understand the figures, \$1,000,000 will be received from the project next year, the following year \$2,200,000, and, eventually, when the whole 10 units are in operation there will be approximately \$9,350,000 a year of revenue coming in from the project. Amortization with interest at 3½ percent to retire the entire cost in 40 years, requires only \$4,060,000 a year, so that after paying operation and upkeep, there will be left \$3,399,549 each year above what is necessary to retire the investment. So the project will be a self-supporting one, and I think it very definitely is justified under the facts as we have them now.

As has been said, a contract has been entered into with the Aluminum Co. of America, which will last for 20 years and will bring in during the term of the contract \$10,000,000, and only recently it was reported as shown in the Christian Science Monitor, which I saw on my desk yesterday, that an additional contract has been entered into with the Sierra Iron Co. which eventually will consume 32,500 kilowatts a year, which is practically the same amount that is provided under the contract with the Aluminum Co. of America. So these two projects alone ultimately will bring in \$1,000,000 a year or almost one-fourth of the revenue required to pay the interest and retire the investment, not considering the immense value of the remaining power that will be available under the project when it is fully completed.

I would also like to call your attention to the fact, however, that under the generic law as we passed it preference must be given to public bodies and cooperatives. Section 4a of the law provides:

In order to insure that the facilities for the generation of electrical energy at the Bonneville project shall be operated for the benefit of the general public, and particularly the domestic and rural consumers, the Administrator shall at all times, in disposing of electrical energy generated at said project, give preference and priority to public bodies and cooperatives.

This is a direct mandate from Congress to the Administrator as to how he shall dispose of this energy.

LOW RATES TO CONSUMERS

Mr. Chairman, as a result of the energizing of the transmission line to Portland, the city of Portland on October 15, 1939, put into effect a rate reduction which Administrator Raver states is approximately 20 percent.

The organic act provides that 50 percent of Bonneville power shall be reserved until 1942 for public bodies and agencies. It is the underlying policy of the law that the lowest possible rates to consumers shall be established. This is for the purpose of protecting domestic users, farmers, and the small users throughout the entire territory. It also contemplates furnishing the lowest commercial rates for industrial enterprises consistent with the profitable operation of the project.

Since this reduction was made, the State, through the public utilities commissioner, has made a further reduction in the rate.

The Nineteenth Annual Report of the Federal Power Commission, 1939, shows that rate reductions for electric energy averaged forty-six and one-half million dollars annually in the 3½-year period from July 1, 1934, to December 31, 1937, and that the production of electric energy reached an all-time high in 1939. I desire to quote briefly from this report:

The total savings resulting from electric-rate reductions for the 3½-year period from July 1, 1934, to December 31, 1937, it was estimated, amounted to \$162,761,490, an average of \$46,500,000 per year. These figures represent merely a total of the separate annual savings based on average consumption per customer for periods prior to rate changes as reported by utilities, and as such do not reflect a cumulative total of all savings given—do not include savings on increases in the average consumption per customer which usually follow a rate reduction.

The savings to the customers of privately owned utilities for all services during the period, it is noteworthy, equaled 6.4 percent of the estimated total revenues of such utilities in 1934, as against 5.1 percent in the case of the publicly owned system. Though privately owned utilities in nearly all instances reduced their average typical bills more than publicly owned systems, the average typical bills of publicly owned utilities, as has already been noted, remain generally below those of privately owned utilities.

POWER SALES PROGRESS

One hundred and nineteen applications for power, totaling 643,489 kilowatts, have been received by the Administrator of the Bonneville project. Of these 119 applications, 42 are from public-utility districts, 16 from municipalities, 29 from R. E. A. cooperatives, and 21 from drainage districts. Public applications total 108 and represent 446,529 kilowatts. Applications have also been received from 6 private utilities totaling 66,900 kilowatts. Five from industries totaling 130,060 kilowatts have filed power applications.

Thirty-nine applications totaling 92,671 kilowatts are ready for service connections. Feasibility reports have been completed on 24 applications, totaling 128,521 kilowatts and 21 contracts totaling 77,710 kilowatts have been submitted. Thirteen contracts have been executed totaling 59,110 kilowatts. All of this information on applications and contracts covers prime power only. In addition the project has authority to sell dump power which is power subject to recall to satisfy firm contracts. This power under filed tariffs sells for 2½ mills per kilowatt-hour, which is below the bare fuel costs of existing steam plants in the Bonneville area. Contracts have been executed with the private utilities to furnish dump power and the Portland companies have taken nearly 70,000 kilowatts of such energy. Therefore, it is fair to say that the sum of the firm power business in sight plus the market for dump power exceeds the present installed capacity. The load-development possibilities of the project

have been estimated by the Marketing Division in excess of 250,000 kilowatts by 1941 and 450,000 kilowatts in 1942. Comparing these load possibilities with the construction schedule given above it will be seen that a power shortage will exist in the Northwest during 1941 and possibly 1942.

EARNING POWER OF THE PROJECT

The earning power of the project is set out on page 74, table 8, of the annual report. The Administrator estimates that each kilowatt of capacity will earn on an average \$18.36 per kilowatt-year, which will give a gross revenue on the completion of the plant of \$9,350,000. The investment in transmission, transformer, and operating facilities for Bonneville alone will represent an outlay of \$36,288,000. This investment represents only projected lines in the Bonneville-Coulee area, which will be allocated solely to the delivery of Bonneville current.

Based on the Federal Power Commission's allocation, the Army engineers have estimated that the completed investment in dam, power plant, and switch yard will represent \$50,293,885. It will be noted that this is some 8 or 10 million dollars in excess of the original estimate by the Power Commission. The Power Commission's estimate was based on lower capacity. Since that time, as a result of experience with units 1 and 2, the Army engineers have concluded that the capacity can be expanded over the original estimated figure of some 430,000 kilowatts. The first two units installed have a rated capacity of 43,200 kilowatts each but units 3, 4, 5, and 6 are larger, being in the neighborhood of 52,000 kilowatts each.

The amortization and interest charges, based on 40-year repayment at 3½-percent interest, will run \$4,060,000 per year and the combined operating expenses, together with maintenance and depreciation, will amount to \$1,890,451. This will leave a net of \$7,459,549 for fixed charges which is an 8.6-percent return on the Government's investment in power facilities or \$3,399,549 in excess of the operating, maintenance, and fixed charges. Therefore when the plant is completed, the revenues under existing rates will retire the investment in a shorter period than 40 years besides taking care of all costs and deficiencies during the load-building period.

BONNEVILLE'S RECORD—INSTALLED CAPACITY AND PLANT-COMPLETION SCHEDULE

Mr. Chairman, two generating units are installed and operating. This represents a total capacity of 86,400 kilowatts. These two units have been designated No. 1 and No. 2. Funds to install and complete units 3, 4, 5, and 6 have been provided, save the \$800,000 item, which passed the House recently. The second step of the program planned by the Army engineers contemplates that units 3 and 4 will be ready for service by June 1941. At that time the installed capacity will be 194,400 kilowatts. The Administrator anticipates that he will be crowded for capacity by that time and has requested the Army engineers to accelerate completion of units 3 and 4 so as to have them ready for service by January 1, 1941.

Units 5 and 6 are scheduled for completion about June 1, 1942. When units 5 and 6 are completed the plant's installed capacity will be 300,000 kilowatts.

Units 5 and 6 will be subject to shut-down when the foundations for units 7 to 10, inclusive, are installed. Shutting down units 5 and 6 during such a construction period will give the plant a firm available capacity equal to the sum of the first four units, or 194,400 kilowatts.

With the installation of units 7 and 8, the plant's capacity will be 410,000 kilowatts. If funds were provided this year, the earliest completion date for units 7 and 8 would be June 1, 1943.

When units 9 and 10 are completed the plant's capacity will be 518,400 kilowatts. If funds were provided this year for initial work, the earliest completion date for units 9 and 10 would be June 1944. The lack of provision for units 7 to 10, inclusive, will delay this program possibly 1 or 2 years beyond the dates given.

FARM LOAD

The latest available studies by the Farm Journal indicate that there are 61,137 occupied farms in Oregon and 81,105 such farms in the State of Washington. In Oregon 30,303 of such farms are electrified and 30,834 farms do not have electric service. In the State of Washington 48,375 farms are electrified and 32,730 farms are not.

Eastern Oregon and eastern Washington represent a substantial farm market. In this area 12 Rural Electrification Administration projects are under construction or completed. There is a large and highly successful cooperative with about 1,500 miles of rural lines in southeastern Washington. Eastern and central Oregon and the unserved areas in the Willamette Valley are now active in organizing Rural Electrification Administration cooperatives.

Rural Electrification Administration has recently had a field representative in the State of Oregon and this representative has estimated that there are 11 unserved rural areas that can be profitably developed. These unserved areas represent a rural line mileage of 978 miles.

Under the Bonneville filed tariffs such power can be purchased at one-half cent per kilowatt-hour. This possible saving in wholesale prices represents \$12.50 per farm-year for the medium user and about \$25 per farm-year for the larger consumer who utilizes an electric stove and labor-saving devices. These areas have farms of large dimensions. Therefore one of the essential requisites for a successful rural enterprise is low-cost current.

In the testimony before the Interior subcommittee it was pointed out that eastern Oregon and eastern Washington are sections devoid of fuel and installed hydro capacity. The available present capacity in this eastern country per thousand population is only 28 percent of the similarly installed per capita capacity in the remaining portions of these two States. This eastern section of Oregon and Washington has a population of 248,000, of which 91,000 is rural. The possible revenue accruing from the eastern Oregon and Washington lines would be in excess of \$850,000 per year, which will justify the lines proposed by the Administrator. There is an early market for 68,000 kilowatts in this region, according to the testimony.

DUPLICATION

The policy of the Bonneville administration is to avoid duplicating existing lines. Last year the question of duplication was raised on the floor, and the parallelism of the project's transmission line from Vancouver to Eugene was cited. When this question was then up, attention was called to the lack of capacity of the private parallel lines in the Willamette Valley. Since that time the position taken on the floor has been sustained by the actual contracts with the Portland General Electric Co. for delivery at Salem and a pending contract application from the Mountain States Power Co. for delivery at Eugene. These companies would not toll current over the Government lines if their lines had the available capacity or requisite reserve.

POLICY PROVISIONS

Mr. Chairman, the policy covering the transmission and marketing of Bonneville power has been set by Congress in the organic act, approved August 20, 1937. The four outstanding policy provisions of this legislation are as follows:

First. The administrator is directed to sell the power at such a rate, subject to approval by the Federal Power Commission, so that the Federal Government will be reimbursed over a reasonable period, with interest, for its investment in power facilities. The interest rate has been set by administrative action at 3½ percent and the amortization period 40 years.

Second. The administrator is directed to construct, or purchase and to operate, transmission facilities to existing and potential markets, so as to encourage the widest possible diversified use of electricity.

Third. The administrator is directed that the project is to be operated for the benefit of the general public, particularly rural and domestic consumers.

Fourth. Fifty percent of Bonneville power is reserved to 1942 for public bodies and agencies. However, in this interim

the administrator has authority to sell such reserved power so long as it does not interfere with the preferential rights of public agencies.

Mr. Chairman, the article I referred to in the Christian Science Monitor is as follows:

BONNEVILLE AREA ADDS IRON PLANT TO ITS LIST
[Special to the Christian Science Monitor]

VANCOUVER, WASH., March 5, 1940.—The new industrial frontier radiating from Bonneville Dam and its abundance of cheap power, welcomed another important pioneer recently with the announcement of a pig iron production project which will use a commercially new electric process.

Second, such announcement within just a few weeks, the iron plant's choice of this section was preceded by news of a plant for production of aluminum. Both plants will be constructed near Vancouver, which is across the Columbia River from Portland, Oreg.

A contract has just been signed by the Sierra Iron Co. for Bonneville power ranging from 6,000 kilowatts the first year to 30,000 within 2 years; and by the Aluminum Co. of America for 32,500 kilowatts.

Iron ore for the projected pig-iron production will be taken from open pits just across the Columbia, near Scappoose, Oreg., say the project's sponsors. Coal will be taken from Chehalis, Wash., deposits, and limestone will come from several points in the Northwest.

COAL WILL BE USED

In spite of the use of electricity coal will still be an important factor in the iron plant's operation.

The contract for cheap Bonneville power was signed for the Sierra Iron Co. by D. H. Blotchford, president, of Los Angeles, and Paul J. Raver, Power Administrator for Bonneville Dam. The Sierra Co. is a Nevada corporation with California financing. Its contract calls for power delivery not later than June 1 this year.

Announcement of the two projects not only opens up new industrial vistas for the Pacific Northwest, but points toward immediate development of latent resources.

It has been pointed out that the Pacific coast demand is increasing for iron and steel, and that the home market would absorb a large output if mills were installed in this area.

President Roosevelt has indicated development of adequate steel capacity on the Pacific coast is a matter of great importance, and that it would be highly desirable from the standpoint of national defense.

One expert who has taken part in many surveys relating to feasibility of iron and steel production in the Pacific Northwest said investigations indicate the western market could use the production of plants of 750,000 tons annual capacity.

MATERIALS EASILY AVAILABLE

Materials, he said, should be available either close at hand or by low-cost water transportation.

Operations of the proposed iron plant will be watched with great interest by iron and steel men everywhere because of its departure from ordinary methods.

Electric smelting of iron ore has been the object of intensive research throughout the world but has made little headway, largely because of power costs and the fact that the unit size of furnaces already in use is so much larger than those required for electric use.

Furnaces to be installed by the Sierra Co. were designed by Albert E. Greene, of Seattle, metallurgist and electric furnace maker, who has done much experimental work in the use of electricity for smelting iron and manganese ores.

"Coal is used as the reducing agent," says Mr. Greene. "The coal may be of the abundant subbituminous or noncoking bituminous rank and may consist of the fines which are obtainable.

"Reduction takes place at the feed end of the furnace, with metal and slag flowing to the tapping end."

Mr. Blotchford said the Sierra Co. chose its site at Vancouver because it has access to four railway lines and ocean-borne transportation. It is also near a main auto highway.

He says his company expects the plant to develop a production of 100 tons of pig iron a day before the close of 1940, and plans, at the peak of its Bonneville contract, to produce 500 tons a day.

The first unit of the plant is scheduled to cost \$120,000, and the completed plant \$600,000.

Mr. MOTT. Mr. Chairman, I move to strike out the last word. Like my colleague from Oregon [Mr. ANGELL], when it appeared that the gentleman from Massachusetts [Mr. WIGLESWORTH] was to offer an amendment which, in my opinion, would have prohibited the construction of transmission lines, I reserved my time in this debate for argument against that amendment. I commend now the fairness of the gentleman from Massachusetts in withdrawing that amendment, and I commend, also, the fairness of all those who have taken part in this debate.

When I spoke to the gentleman from Massachusetts and told him what, in my opinion, his amendment, if adopted, would do in the way of obstructing the further building of

transmission lines, he realized that it might stop the construction of transmission lines altogether. He had no intention of stopping this work. He therefore offered to withdraw the amendment, and he did withdraw it. This generous and sportsmanlike action on the part of the gentleman from Massachusetts leaves nothing further to be said on his proposed amendment. I wish to take this opportunity, however, to say to my colleagues that they are to be congratulated for voting today to provide this \$5,500,000 to continue the construction of transmission lines to carry the power from Bonneville into the areas which need and want that power. We do not contend that the Bonneville is by any means the only legitimate Federal hydroelectric power development in the United States, yet we do contend that it is a 100-percent legitimate project and that it is a 100-percent self-liquidating project. Under the provisions of the basic law this entire project must be liquidated within 40 years, and it must return a revenue of 3½ percent to the Government. The rates must be made in such a way that this project will do that, and under the system which is now in operation, that will be done.

The Bonneville project is one of the most valuable projects of its kind that can possibly be imagined. It will serve some 30,000 farms in the Willamette Valley alone. That valley has a population of over half a million people and is one of the most important agricultural areas in the United States. When the Willamette flood-control project is completed, it is estimated that at least one-third of the Bonneville power will be used for power pumping in the irrigation districts which will be created in the valley upon completion of the flood-control project.

I think that the Bonneville project is now so well understood by a majority of the Members of the House of Representatives that we will have little trouble in the future in securing whatever money is necessary to entirely complete it. This, I am sure, will redound to the benefit not only of the people who now live in the area it directly serves, but for the benefit of the people of the United States generally.

Mr. WHITE of Idaho. Mr. Chairman, will the gentleman yield?

Mr. MOTT. Yes; I yield to the gentleman from Idaho.

Mr. WHITE of Idaho. Would the gentleman be in favor of similar projects, in other States, as, for instance, the Cabinet Gorge project? Would the gentleman be for that, would he vote for it?

Mr. MOTT. I have voted for all those projects which, in the opinion of the Army engineers, have been found after careful examination and survey to be of such value to the people that benefits to be derived from them would more than compensate for the expense necessary to build them. If the gentleman's project comes within that class, I would be glad to support it.

Mr. WHITE of Idaho. I am glad to know the gentleman would support it.

The CHAIRMAN. The time of the gentleman from Oregon has expired. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I ask unanimous consent that the bill be considered now as read to page 80, line 5, at the end of line 4.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma that the bill be considered as read to page 80, line 5?

Mr. TABER. Mr. Chairman, reserving the right to object, what is the object of that?

Mr. JOHNSON of Oklahoma. As I understand it, that is the agreement which has been reached. There is no objection to any item from now until page 80.

Mr. TABER. And does that mean that a point of order may lie at any point in between or that an amendment may be offered?

Mr. JOHNSON of Oklahoma. Of course.

Mr. TABER. Mr. Chairman, I have an amendment before we get to that point, on page 16, which I desire to offer.

Mr. JOHNSON of Oklahoma. And points of order will lie.

Mr. TABER. Anywhere between here and page 80?

Mr. JOHNSON of Oklahoma. Yes.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

Mr. NICHOLS. Mr. Chairman, I reserve the right to object. Do I understand that the gentleman's interpretation of the request is correct, that points of order will lie at any of the pages between here and page 80?

The CHAIRMAN. That is a part of the gentleman's unanimous-consent request. Is there objection?

There was no objection.

Mr. TABER. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. TABER: Page 16, line 3, strike out "\$893,880" and insert "\$750,000."

Mr. TABER. Mr. Chairman, this amendment would reduce the bill down to the figures of the President's Budget.

Just think of me having to come here and support the President. Not a single Member on his own side of the aisle rises to support him.

There was absolutely no excuse whatever for raising this item for surveys of public lands above the Budget estimate by \$143,000. All I am asking you to do is to support the President, and get down to \$750,000 in line with the Budget estimate.

I am not going to say any more. I want to see whether you will do it or not.

Mr. JOHNSON of Oklahoma. Mr. Chairman, the gentleman, in his enthusiasm, forgot to tell that this is \$100,000 below what was spent for this same purpose last year. He also forget to tell you that there are several hundred million acres of land as yet unsurveyed, and it pays its own way. As was pointed out in my opening statement, this is one of the few departments of the Government that more than pays its own way. Besides that it will give a splendid opportunity for many worthy young men to secure employment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. TABER].

The question was taken; and on a division (demanded by Mr. TABER) there were ayes 79 and noes 86.

So the amendment was rejected.

Mr. NICHOLS. Mr. Chairman, I make a point of order. On page 29, beginning with the last word on the page, "to," I make a point of order against the following language:

to be reimbursed under the provisions of the Act of February 14, 1920, as amended (25 U. S. C. 413), except that reimbursement shall not be required for expenditures in connection with Indian lands for which no production or compensatory royalty accrues, or for expenditures in excess of 10 percent of such royalties accruing from mineral-lease operations within any reservation or agency jurisdiction.

My point of order is that it is legislation on an appropriation bill.

The CHAIRMAN. Does the gentleman from Oklahoma [Mr. JOHNSON] desire to be heard on the point of order?

Mr. JOHNSON of Oklahoma. Mr. Chairman, we concede the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. RICH. Mr. Chairman, I make a point of order to the language on page 67, after the figures "\$400,000", down to and including the word "created", in line 12, as follows:

and in addition thereto the Secretary of the Interior may incur obligations and enter into a contract or contracts not exceeding the total amount of \$815,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and appropriations hereafter made for continuing construction of the project shall be available for the purpose of discharging the obligation or obligations so created.

It is legislation on an appropriation bill.

The CHAIRMAN. Does the gentleman from Oklahoma desire to be heard on the point of order?

Mr. JOHNSON of Oklahoma. We concede the point of order, Mr. Chairman.

The CHAIRMAN. The point of order is sustained.

Mr. ALEXANDER. Mr. Chairman, I make a point of order against the language on page 13, beginning in line 17,

after "\$141,000," down to and including "\$100" at the end of line 3 on page 14, which language reads as follows:

of which amount not exceeding \$10,000 shall be available for expenditure in the discretion of the High Commissioner for maintenance of his household and such other purposes as he may deem proper: *Provided*, That the salary of the legal adviser and the financial expert shall not exceed the annual rate of \$10,000 and \$9,000 each, respectively: *Provided further*, That section 3709 of the Revised Statutes (41 U. S. C. 5) shall not apply to any purchase or service rendered under this appropriation when the aggregate amount involved does not exceed the sum of \$100.

The CHAIRMAN. Does the gentleman from Oklahoma desire to be heard on the point of order?

Mr. JOHNSON of Oklahoma. We have passed that point, Mr. Chairman. The gentleman speaks too late.

Mr. TABER. Mr. Chairman, the reservation was made that we could make points of order all the way through.

The CHAIRMAN. The unanimous-consent agreement was from that point where the Clerk had been reading, on through to page 80.

Mr. TABER. Yes.

Mr. JOHNSON of Oklahoma. We had passed that point.

Mr. TABER. No. The Clerk had not read that.

Mr. JOHNSON of Oklahoma. The point of order undoubtedly comes too late.

The CHAIRMAN. The Chair is advised by the Clerk that he had concluded the reading of page 12, and therefore the point of order made by the gentleman from Minnesota [Mr. ALEXANDER] is made in time.

Does the gentleman from Oklahoma desire to be heard on the point of order made by the gentleman from Minnesota?

Mr. JOHNSON of Oklahoma. I would like to know what lines the gentleman from Minnesota refers to.

Mr. ALEXANDER. Starting after "\$141,000", in line 17, on page 13, and going through the balance of that entire section, through line 3, on page 14.

Mr. JOHNSON of Oklahoma. I do not care to be heard on the point of order, Mr. Chairman.

The CHAIRMAN. The gentleman from Minnesota [Mr. ALEXANDER] makes a point of order to the language appearing on page 13 as indicated by him. The language appearing in line 17, after "\$141,000", on through the next four lines, was held subject to a point of order on April 21, 1938.

Therefore the Chair sustains the point of order to that and the remainder of the paragraph.

Mr. JOHNSON of Oklahoma. My understanding is that the point of order did not strike out the whole paragraph?

The CHAIRMAN. Beginning on line 17, page 13, with the word "of", on through the remainder of the paragraph.

Mr. CASE of South Dakota. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CASE of South Dakota: On page 21, line 20, strike out the period, insert a colon and the following: "*Provided further*, That no part of this appropriation shall be available to conduct elections in any reservation or on any matter which has been previously voted upon there unless 2 years have elapsed."

Mr. JOHNSON of Oklahoma. There is no objection to the amendment from this side of the aisle.

Mr. CASE of South Dakota. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

INDIAN TRIBAL ORGANIZATIONS

Mr. CASE of South Dakota. Mr. Chairman, the amendment which I have offered merely proposes that none of the funds in this appropriation may be used to conduct elections on a matter on any reservation when that reservation has held an election on the same question within 2 years. It proposes to give the Indians and the Indian Office that much of a breathing spell from the turmoil and feelings that these elections generate, also, and quite important, the expense.

Under the provisions of the Wheeler-Howard Act—that is, the act of June 18, 1934—elections may be held on charter,

constitution, and so forth, whenever 30 percent of the eligible members of a tribe so petition. This is true, regardless, at present, of how recently or how frequently the Indians on that reservation may have expressed themselves on the subject.

Every election costs money. It costs the Government money. This appropriation item of \$74,540 proves that. It also costs the Indians money who want to oppose the proposed action, and it probably costs something to the individual Indians who work with Government money.

It would seem that when a specific matter comes up and is voted on decisively once in 2 years, that that should be often enough. That is the time intervening between the general elections for Members of Congress.

My amendment, as worded, would not prevent elections to amend a constitution or charter once adopted, provided that the amendment proposed had not been voted upon within 2 years. A different subject matter could be the subject of a new election. But the amendment is intended to prevent, and would prevent, elections more frequently than once in 2 years on a subject matter or question upon which an election had been held.

My attention has been directed to the need of such a provision by the repeated elections on some of the Sioux reservations where elections are held over and over with the same result. It is all right to pass upon a question more than once, but when it has been thoroughly considered, the people are entitled to a little rest to see if conditions change before they have the fuss of another election.

The question may be asked how another election can be held unless the people ask for it. That means nothing. It is easy to get signers for a petition. That is true as a general proposition. It is easier to sign than to offend the circulator. That is particularly true when an Indian is approached with a petition which he knows will pass through the hands of some agency official who may be passing on his rations, loans, grants, or other benefits. The individual will sign or not sign according to the standing which he thinks it will give him at the office, and so would you. Every Member of this House knows well the difference between a record vote and a mere voice vote. One puts you on the spot and the other does not.

So the Indian signs the petition, but when he votes in a secret ballot, he votes his convictions. That is why petitions can be obtained calling for repeated elections at which the votes for a proposition will not equal the signers on the petition.

The result is bad feeling, wasted time, wasted effort, and wasted money, Government money and Indian money. My amendment is designed to prevent this. An election on a given subject once in 2 years is often enough. Those who understand the Indian country, I am sure, will agree that this amendment should be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota.

The amendment was agreed to.

Mr. ROBINSON of Utah. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROBINSON of Utah: On page 80, line 5, after the word "Utah", strike out "\$750,000" and insert "\$1,250,000."

Mr. ROBINSON of Utah. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The CHAIRMAN. Without objection, it is so ordered. There was no objection.

Mr. ROBINSON of Utah. Mr. Chairman, there was a Budget estimate for this amount submitted by the Bureau of the Budget. Through a mistake the proper amount was not included in the bill. This amendment is offered to correct the mistake.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. ROBINSON of Utah. I yield.

Mr. RICH. The committee has agreed to accept the amendment because of the Budget estimate.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I desire to say that the committee has accepted the amendment. There was a Budget estimate for the full amount.

Mr. ROBINSON of Utah. I wish to supplement my remarks by reading at this time a communication from the President of the United States transmitting a supplemental estimate of appropriation for the Department of the Interior for the fiscal year 1941 in the amount of \$500,000 for the Provo River, Utah, reclamation project.

THE WHITE HOUSE,
Washington, March 5, 1940.

THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIR: I have the honor to submit herewith for the consideration of Congress a supplemental estimate of appropriation for the Department of the Interior for the fiscal year 1941 in the amount of \$500,000.

The details of this estimate, the necessity therefor, and the reasons for its transmission at this time are set forth in the letter of the Director of the Bureau of the Budget, transmitted herewith, with whose comments and observations thereon I concur.

Respectfully,

FRANKLIN D. ROOSEVELT.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., March 5, 1940.

THE PRESIDENT,

The White House.

SIR: I have the honor to submit herewith for your consideration a supplemental estimate of appropriation for the Department of the Interior for the fiscal year 1941 in the amount of \$500,000 as follows:

BUREAU OF RECLAMATION

Reclamation fund, special fund: Provo River project, Utah: For an additional amount for continuation of construction, \$500,000, from the reclamation fund, special fund, fiscal year 1941, to remain available until expended (43 U. S. C. 373A; 53 Stat. 717) ----- \$500,000

This estimate is to provide for beginning the construction of the Duchesne tunnel, a unit of the Provo River project estimated to cost approximately \$2,000,000 and requiring about 4 years to complete.

The Provo River project, in addition to providing water for irrigation, will also furnish a supplemental water supply for Salt Lake City, Utah. The entire project will cost about \$15,774,000, of which \$5,415,000 has been provided to date. The city has contracted to pay about 40 percent of the cost of the Deer Creek division and practically the entire cost of the aqueduct. These two features will cost \$7,600,000 and \$5,800,000, respectively. The Duchesne tunnel, 5.5 miles long, and having a capacity of 325 second-feet, will divert water from the upper tributaries of the Duchesne River in the Colorado River watershed to the Provo River for storage in the Deer Creek Reservoir. Water so stored is to be used to augment the municipal water supply of Salt Lake City. Unless this diversion is made, the water stored in the Deer Creek Reservoir will be insufficient to meet the demands of Salt Lake City.

It is estimated that the Deer Creek Dam will be completed in May 1942 and work is in progress on the tunnels and conduit to carry the water into Salt Lake City.

While the original estimate of \$750,000 contained in the 1941 Budget for continuation of the Provo project contemplated work on the Duchesne tunnel, it has now developed, that this \$750,000 will all be required to meet contractual obligations for other features of the construction program. Favorable weather conditions and a longer construction season have permitted the contractors to progress more rapidly than originally contemplated. Unless funds are made available for beginning the construction of the Duchesne tunnel, it will be impossible for Salt Lake City to derive any benefits from the other units of construction now in progress.

The foregoing estimate is required to meet contingencies which have arisen since the transmission of the 1941 Budget and its approval is recommended.

Respectfully,

HAROLD D. SMITH,
Director of the Bureau of the Budget.

Mr. WHITE of Idaho. Mr. Chairman, before the bill, H. R. 8745, making appropriations for Interior Department for fiscal year 1941 passes, I wish to make a statement showing that an additional appropriation will be necessary for carrying on the construction of reclamation projects now being financed from the revolving fund.

Mr. Chairman, I wish to refer to the statement of Commissioner Page on page 356 of the hearings under subtitle "Estimates for 1941."

Mr. JOHNSON of Oklahoma asked Mr. Page the following question:

How much did you ask the Budget for?
Mr. PAGE. \$67,000,000 plus.

This bill provides approximately \$20,000,000 less than the amount required.

Mr. Page is a very conservative and efficient officer of the Government, and when he asked for \$67,000,000 I am certain he needed every penny he asked for.

However, to satisfy myself, I checked the hearings and other data, and I find a list of 14 medium-sized projects approved and under construction, as follows:

Amount needed to complete

Gila, Ariz.	\$15,907,589
Colorado-Big Thompson	47,088,000
Boise, Idaho, Arrowrock division	9,191,789
Boise, Idaho, Payette division	4,213,000
Grand Valley, Idaho, Upper Snake	19,725,000
Lugert-Altus, Okla.	5,300,000
Deschutes, Oreg.	5,824,000
Klamath, Oreg.	603,000
Tucumcari, N. Mex.	5,155,000
Provo, Utah	9,609,000
Yakima, Wash.	6,515,000
Kendrick, Wyo.	1,968,000
Shoshone, Wyo.	2,300,000
Riverton, Wyo.	3,448,000

Total..... 136,847,378

The projects to which I am calling your attention are not the large new power projects being financed from the General Treasury. They are the smaller reclamation projects under construction from the revolving fund.

Projects with thousands of people already making their homes and living on the land and more thousands of homes in the cities and villages within the area.

These projects are largely supplemental water projects where the Federal Government already has a substantial investment which is being rapidly repaid by the settlers.

To complete these projects costing approximately \$137,000,000 on a 5-year-average basis will require annual appropriations of twenty-seven or twenty-eight million dollars.

The bill under consideration allows about \$6,000,000 or \$22,000,000 less than required on a normal construction basis.

We talk a lot about "economy," but we seem to be able to find the money to build a couple of battleships every year at a cost of over \$100,000,000 each.

On a 5-year-construction basis we will spend for 10 battleships 10 times the amount we need to complete all of the major reclamation projects of the West outside of the power projects which have already justified their construction by returning costs to the General Treasury at the rate of many millions per year in excess of original estimates.

Gentlemen, what is the use of building battleships if we are to neglect our internal situation? Why, I ask you, continue to build battleships at a cost of \$100,000,000 each and neglect to complete a necessary piece of work when we know that the life of a battleship is only a little over 20 years?

The present European war will exhaust every nation that under any circumstance would attack the United States.

Gentlemen, I am serving notice now that as chairman of the Irrigation and Reclamation Committee of this House, I intend to propose legislation that will provide the necessary funds to complete the projects on the list mentioned and other necessary projects.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Utah.

The amendment was agreed to.

Mr. RICH. Mr. Chairman, I move that the bill be considered as read down to line 17 on page 113 with the understanding that points of order may be raised, or amendments offered, to any paragraph between page 80 and line 17, on page 113.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RICH: Page 113, line 3, after the word "Budget," insert "Provided further, That no part of the foregoing appropriations for the National Park Service shall be available for the payment of salaries or expenses of any employee of the National Park Service assigned to duties in connection with the Jefferson National Expansion Memorial in St. Louis, Mo."

Mr. JOHNSON of Oklahoma. Mr. Chairman, there is no objection from the committee.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

Mr. VAN ZANDT. Mr. Chairman, I offer an amendment. The Clerk read as follows:

Amendment offered by Mr. VAN ZANDT: On page 111, line 20, add the following paragraph:

"Recreational administration areas: For administration, protection, and maintenance, including not exceeding \$10,000 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicle, \$250,000: *Provided*, That the National Park Service is authorized to retain the services of the project managers without reference to civil-service laws until the United States Civil Service Commission establishes appropriate registers of eligibles for such positions as are otherwise filled by civil-service employees."

Mr. TABER. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. VAN ZANDT. Mr. Chairman, the amendment which I offer at this time concerns recreational demonstration areas located in 23 States with a total area of approximately 400,000 acres.

The amount of \$250,000 specified in the amendment is necessary if these areas or public parks are to remain in operation for the fiscal year 1941.

The Federal Government spent large sums in developing these recreational areas in more than 20 States, and up until this time no item has been included in the Interior Department appropriations for the administration, protection, and operation of these parks. Each year the necessary money has been supplied from the emergency relief appropriations. This item rightfully belongs in the Interior Department budget because the National Park Service has supervision over these Federal-developed parks.

At this very moment there is no assurance that emergency relief funds will be available for this purpose after July 1, and since the Government has no legal authority to deed these parks to the States or other political subdivisions, due to the President's vetoing such a measure last year, they clearly become the responsibility of the Federal Government.

There are 52 of these areas located in 23 States, and, for the information of my colleagues, I submit the following States in which these parks are located:

Alabama	1
Maine	2
New Mexico	1
Pennsylvania	5
Tennessee	3
Indiana	2
North Dakota	1
California	1
Georgia	3
Maryland	1
New Hampshire	1
Rhode Island	1
Virginia	10
Michigan	2
South Dakota	1
Oregon	1
Kentucky	1
Missouri	3
North Carolina	1
South Carolina	8
Illinois	1
Minnesota	1
Oklahoma	1

During the past year 319,419 persons used the camping facilities of these parks, while 972,842 persons were day visitors, or a total of 1,292,261 persons.

The cost per capita was 16 cents which is small in comparison to the many benefits derived from the use of these recreational areas.

Gentlemen, in asking support for this amendment I do so conscious of the fact that thousands of our fellow Americans look to these parks for recreation and relaxation during the summer season.

In my own district Blue Knob National Park offers to the average family a day's outing, while the camping facilities are enjoyed by young and old alike.

The Girl Scouts of Cumberland, Md., and Altoona, Pa., and the Y. W. C. A. of Johnstown, Pa., located in the district of my good friend and colleague from Pennsylvania, HARVE TIBBOTT, have formed an organization known as the Blue Knob Camp Association, paying the annual rental fee charged by the Department of the Interior.

Last year 19,091 persons used the facilities of this park, of which 14,023 were day visitors while 5,068 were campers.

This park is typical of the other areas referred to and I hope that the Members of this House will stop to consider what these areas mean to thousands of our citizens who seek the many natural advantages that the great outdoors affords through the use of these Federal-developed parks.

I feel certain that in weighing the many benefits resulting from the operation of these areas you will be moved to give favorable consideration to this amendment. [Applause.]

Mr. MURDOCK of Arizona. Will the gentleman yield?

Mr. VAN ZANDT. I yield to the gentleman from Arizona.

Mr. MURDOCK of Arizona. The gentleman is closely connected with ex-service organizations. I want to say to him that American Legion posts in my State have written to me to the same effect, and I imagine other ex-service organizations as well are interested. Of course, those who have contacted me had in mind those areas nearest home.

Mr. VAN ZANDT. The veteran organizations are interested in these parks throughout the country because of their great desire to give to the American people the advantages of outdoor life.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, the gentleman has made a very excellent address, and I personally feel very kindly toward recreational areas; but I call attention to the fact there is no Budget estimate for it and there is no authorizing legislation. For these reasons I feel constrained to make a point of order against the amendment.

The CHAIRMAN. Does the gentleman from Pennsylvania [Mr. VAN ZANDT] desire to be heard?

Mr. VAN ZANDT. Mr. Chairman, may I ask the gentleman if it is not true that the Interior Department included in the budget it sent to the Budget Bureau an item covering these recreational areas?

Mr. JOHNSON of Oklahoma. I am not sure. We have no way of knowing what the Interior Department did. I think I can assure the gentlemen, however, that the Park Service is very favorable toward these recreational areas, and I am sure every member of the committee feels that way about it.

Mr. MOTT. The gentleman states the Interior Department sent an estimate to the Budget for this item and still there is no legislation authorizing it?

Mr. JOHNSON of Oklahoma. No. I said the Interior Department feels very kindly and very favorable to it.

Mr. MOTT. The Department did send up an estimate, did it not?

The CHAIRMAN. The Chair is ready to rule.

The gentleman from Oklahoma [Mr. JOHNSON] makes a point of order against the amendment offered by the gentleman from Pennsylvania [Mr. VAN ZANDT].

The Chair has examined the amendment and it appears clearly to the Chair that the proviso included in the amendment is legislation on an appropriation bill; therefore the point of order is sustained.

Mr. CASE of South Dakota. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. CASE of South Dakota: Page 111, after line 20, insert a new paragraph as follows:

"Mount Rushmore National Memorial Commission. Any unexpended balances of funds available for obligations for the Mount Rushmore National Memorial on June 30, 1940, shall hereby continue available during the fiscal year ending June 30, 1941, for the same purposes for which such funds were originally appropriated and under the same conditions and limitations with respect thereto."

MOUNT RUSHMORE MEMORIAL

Mr. CASE of South Dakota. Mr. Chairman, the amendment I have offered continues the availability after June 30 of any funds now appropriated to the Mount Rushmore Memorial Commission, which may be unexpended on that date. Existing conditions or requirements as to their use are continued by the wording of the amendment.

It is true, as the printed hearings show, that when the sculptor-engineer, Gutzon Borglum, appeared before the appropriations committee a year ago he promised "to complete the work" with the funds requested by June 30, 1940. The funds were appropriated, \$75,000 to be immediately available and \$175,000 to be available during the current fiscal year.

The Commission budgeted the work and funds, but obviously, in a work of that character, combining the art of sculpturing with the science of engineering, it is quite possible that time and money may not come out evenly on June 30 next. The Secretary of the Commission advises me that a small balance of funds may be on hand which could be expended before that date, but would be spent more orderly if it could be used after that date. Bad weather or break-downs in machinery may interfere with the work as programmed.

Congress, we hope, will have adjourned by June 30. It would be unfortunate, if on that date, some part of the work programmed with these funds were not finished and the money already appropriated should revert to the Treasury where it could not be touched until Congress meets again in January. I have explained the amendment to the members of the subcommittee, and they have said it is acceptable to them.

Many Members of Congress ask me about Mount Rushmore. Increasingly it is recognized that this is America's greatest memorial. On it, the Government has spent only a fraction of what has been spent on other memorials of far less significance, grandeur, and permanence. Probably many of you saw the Washington head on the cover of the Saturday Evening Post a couple of weeks ago. I invite and urge you all to see the memorial itself, with the heads of George Washington, Thomas Jefferson, Abraham Lincoln, and Theodore Roosevelt, in the Black Hills of South Dakota, at your earliest opportunity.

Mr. JOHNSON of Oklahoma. Mr. Chairman, there is no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota [Mr. CASE].

The amendment was agreed to.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I offer an amendment to correct the total, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Oklahoma: Page 81, line 3, strike out "\$6,697,000" and insert "\$7,197,000."

The amendment was agreed to.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Oklahoma: Page 81, line 16, strike out "\$6,599,600" and insert "\$8,099,600."

Mr. CARTER. Mr. Chairman, that is just a correction of the total?

Mr. JOHNSON of Oklahoma. That is right.

The amendment was agreed to.

Mr. CRAWFORD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CRAWFORD. When the gentleman from Minnesota submitted a point of order it struck out the \$141,000 on page 13?

The CHAIRMAN. No. The point of order made by the gentleman from Minnesota was to the language following the figures cited by the gentleman from Michigan.

Mr. CRAWFORD. As I understand it, it is not now in order to offer an amendment to that section of the bill, pro forma or otherwise?

The CHAIRMAN. The gentleman is correct. That part of the bill has been passed, and another unanimous-consent request has been agreed to since then.

Mr. CRAWFORD. Mr. Chairman, I ask unanimous consent to extend my own remarks at this point in the RECORD relating to page 13.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan [Mr. CRAWFORD]?

There was no objection.

Mr. CRAWFORD. Mr. Chairman, I wish to address my remarks to the phase of this bill which has to do with some of our island possessions and territories. In hurriedly glancing through the testimony submitted by Governor Cramer in connection with the Virgin Islands I find some of the information which I desire, but apparently some of it is not available. The Governor states, on page 1002 of the hearings:

I was up here for 4 months last year trying to get favorable action, but, unfortunately, did not succeed in doing so. We want to be given the same treatment that Puerto Rico and the Philippine Islands get with respect to internal-revenue taxes collected on our products.

Just prior to that the Governor was commenting on the proposition of getting benefit payments for sugar growers in the Virgin Islands under the Sugar Act of 1937. He also referred to certain refunds or cancellations of what I believe they term there as export taxes. I understand that in addition to the Governor being in Washington a delegation from the Virgin Islands was here for several months last year attempting to get some very mild legislation approved which would help them in working out their economy. I believe a bill—H. R. 4773—is now pending before the Ways and Means Committee. As one who takes a little bit of interest in the offshore areas, I hope the Ways and Means Committee will see fit to favorably report at this session of the Congress the bill to which the Governor referred and the one to which I referred, and which any Member of the House can get full information on if he will inquire of the Ways and Means Committee. The legislation should be enacted this session, and I urge upon our acting chairman today that he press the Ways and Means Committee to favorably report the bill at an early date. It would greatly help the islanders.

The Governor speaks about spending 4 months here in Washington. On page 998 of the hearings, the gentleman from Pennsylvania [Mr. RICH], commenting on the ownership of the Virgin Islands Co., asked this question:

Then you and the Secretary of the Interior and the other stockholders own the plant?

Governor CRAMER. No, sir; we no not; because we signed a trust agreement which was to the effect that we would never get anything out of the company. Everything coming out of it was intended to be used for the rehabilitation of the people of the Virgin Islands.

Mr. RICH. It does not look like anybody else will get anything out of it, from the financial reports you give. Can you give us a statement for the Virgin Islands Co. for this year? You said you could give it.

Governor CRAMER. I did not say I could give it, but I said I will try to get it.

Mr. Chairman, the Members of this House are entitled at all times to have submitted to them the operating statements and balance sheets of all our companies with such sweeping charters as that held by the Virgin Islands Co. There is a lot of information I should like to have, as a Member of this House and as one who sits on the Insular Affairs Committee, pertaining to the very operations of the company here referred to. I am informed that the Governor of the Virgin Islands spends most all of his time out of the islands and the greater part of it in the city of Washington.

Businessmen and other citizens of the islands feel that the Governor spends too great a proportion of his time away from the islands. With the Virgin Islands Co. playing such an important part in the economy of the people, they are justified in being concerned about their privately owned business, which must compete, directly or indirectly, with the Government-owned operation. Naturally, they desire to have the Governor available most of the time, so that appeals

and petitions and perhaps complaints may be filed with him personally.

I do not have access to the Governor, as do members of the Appropriations Committee, otherwise I would certainly use a lot of my energy in attempting to get full and detailed information with reference to exactly what has happened in connection with the rehabilitation program into which we have poured a lot of money, and as a result of which very little relief, if any, has come to the people down there. On the one hand, we pour money into the islands and on the other we impose wage and hour restrictions, export taxes, and other barriers to their economic and social progress, all of which renders them more unable to help themselves. This occurs because the Members of this body do not thoroughly understand the situation in the islands. I sincerely trust we will mend our ways. I believe the Committee on Appropriations will be rendering a great service if it will insist on the Governor's furnishing detailed information in connection with the condition of the Virgin Islands Co. and in line with this testimony.

We have on our hands at the present time two staggering problems, one much greater than the other, of course. The larger one is in Puerto Rico and the smaller one in the Virgin Islands. I believe it is somewhat of a tragedy that we are not closer to the economic problems and the social problems of those two areas. In my opinion, as a Member of this House who has not been here very long, we pay too little attention to what takes place in the offshore areas. I believe we are not familiar enough with the social and economic problems of Puerto Rico, in particular, as well as the Virgin Islands. The Governor of the Virgin Islands points out what tremendous difficulties they have there as the result of the droughts which visit that area from time to time. In recent months, as a matter of fact for the last 2 years, they have had a recurrence of a disastrous drought there. Those people still operate more or less under the old Danish law. We purchased the islands from Denmark years ago.

[Here the gavel fell.]

Mr. CARTER. Mr. Chairman, I yield 4 additional minutes to the gentleman from Michigan.

Mr. CRAWFORD. I believe we can help them help themselves tremendously by paying some attention to a further revamping of the organic law. We could also very appropriately give further consideration to the situation in Puerto Rico, which at the moment is very bad and, in my opinion, growing worse every day. I think our Insular Affairs Committee could very constructively be more active than it is. I do not want to be too critical of the Governor or the people of the Virgin Islands as long as I personally feel that part of the blame rests on the shoulders of the Members of this body.

This also applies to Puerto Rico. I believe we have been guilty of a terrible injustice to the Puerto Ricans in connection with our Wages and Hours Act. I believe our attempt to solve the sugar problem has been unfair to Puerto Rico. I believe our reciprocal-trade agreements have been unfair to Puerto Rico. I believe many other sins of omission and commission which can be traced to the floor of this House have contributed to the social and economic unrest of the Puerto Ricans. Some day we shall have to answer for them.

In that area there is a population of about 1,800,000, or, say, not more than 2,000,000, which is increasing, I am informed, at the rate of more than 35,000 per annum. They have unbelievable poverty down there. Of course, we also have plenty of poverty in the United States. Their legislative bodies cannot act independently of the Congress. We have aided the building of a political status for the Puerto Ricans which is most disadvantageous to them. We have built a type of commercial agriculture exclusively suitable for exportation. We have contributed to a curtailment of subsistence farming, encouraged absentee ownership, promoted a system which compels the people to import practically their entire subsistence and materially added to their cost of living. New sources of employment are conspicuous by their absence, although the population rapidly increases. Their productive possibilities tend to vanish; their resources are coming to

naught; the people grow poorer and poorer; a collective restlessness grows; discontent arises, and entirely too many of the people are plunged into despair. There is imposed upon us a greater responsibility from a trustee standpoint, because we are more or less responsible for their keeping. Every year we contribute heavily to their treasury, but at the same time, in my opinion, we could do a much better job in the way of constructive assistance than we do at the present time.

I should like now to make a few comments upon the Philippine situation. We have here, I understand, an appropriation of approximately \$141,000 to pay the expenses of the High Commissioner of the Philippines. God only knows what will happen in connection with the Philippines. Their independence is on the way. Personally, I do not believe the Filipinos want independence—I mean the people who are capable of thinking—but, nevertheless, we have said to them that they will get independence. I personally feel that the people of this country are determined to give them their independence.

What is to be our program in continuing to subsidize the Filipino economy as a result of direct remittances which we make to their treasury from year to year? It is my understanding that the gentleman from Minnesota [Mr. ALEXANDER] will discuss this same proposition very shortly, and I shall not intrude on his comments.

COCONUT-OIL EXCISE-TAX ACCUMULATIONS

It is my understanding that the aggregate of the coconut-oil excise-tax accumulations up to December 31, 1938, amounted to some \$73,928,012.77, and that in this figure there is included an overcredit of \$1,200,000, leaving a balance of \$72,728,012.77 as of the last-mentioned date; that for the year—12 months—of 1939 there accrued \$17,468,379.22, and for January 1940 there accrued the sum of \$1,302,898.77—an altogether total to February 1, 1940, of, let us say, \$91,500,000. This, even the Filipinos must admit, is a pretty sum to be deposited in their favor.

SUGAR EXCISE-TAX ACCUMULATIONS

Section 503 of the Sugar Act of September 1, 1937—Public, 414, Seventy-fifth Congress—authorizes to be appropriated an amount equal to the amount of the taxes collected or accrued under title IV of the above-mentioned act on sugars produced from sugarcane grown in the Commonwealth of the Philippine Islands which are manufactured in or brought into the United States on or prior to June 30, 1941, minus the costs of collecting such taxes and the estimates of amounts of refunds required to be made with respect to such taxes for transfer to the government of the Commonwealth of the Philippines for the purpose of financing a program of economic adjustment in the Philippines, the transfer to be made under such terms and conditions as the President of the United States may prescribe; provided that no part of the appropriations authorized shall be paid directly or indirectly for the production or processing of sugarcane in the Philippine Islands. The tax imposed under title IV, section 402 (a) (1), amounts to 50 cents per 100 pounds on 96° raw sugar, or, say, 53½ cents per 100 pounds on refined white sugar. The 1940 sugar marketing quota set by the Secretary of Agriculture and applicable to the Philippine Islands amounts to—February 23, 1940 release—1,003,783 short tons raw value, and, calculating the excise tax at the rate of 50 cents per bag on raw sugar, we arrive at an approximate figure of \$10,000,000 per annum. The Sugar Act has been in operation since September 1, 1937, and it is fair to assume that the excise tax will apply until June 30, 1941. On this basis, let us make a rough calculation of, say, 46 months, and at the rate of, say, \$10,000,000 per annum credit to the Philippine Commonwealth. It would amount to a total of, say, \$35,000,000, after deducting the expenses necessary to administer the collection and remittance of the tax on sugar.

So, Mr. Chairman, it would appear, when we take into consideration the general attitude toward the continuation of the excise tax on oil and that on sugar, that we are rapidly moving toward a fund of near one-quarter of a billion dollars to be used in connection with the economic adjustment in the Philippines before or after independence is granted. We have not only a right but a responsibility to leave no stones

untaken to see that these funds thus created are used in a very proper manner and for the specific purpose of economic adjustment. It is a very unusual procedure in these days of deficits, heavy interest burdens, and rapidly growing Federal debt. If the fund is to grow to great proportions, that will impose upon us a greater degree of responsibility. If the fund's growth is to be discontinued, that will, in turn, raise serious problems for the Filipinos. In this connection, it is well for us to remember that the necessary appropriation has not yet been made for the transfer of the sugar excise-tax funds to the treasury of the Philippine Commonwealth. In due course the Congress will be called upon to approve an appropriation to permit the transfer of the sugar excise tax to the Philippine treasury, the funds to be expended, of course, in accordance with the provisions of the Independence Act, the Sugar Act and the amendments thereto, and the Revenue Act imposing the oil excise tax.

Now, let us look at another phase of the situation which has an important bearing on the whole approach and the questions and problems involved. The 1940 budget of the Philippine Commonwealth—submitted by the President of the Commonwealth to the national assembly on February 7, 1939—shows the following:

Estimated ordinary income.....	₱85,500,500.00
Estimated ordinary expenditures.....	83,406,930.00
Estimated excess of ordinary income over ordinary expenditures.....	2,093,570.00
Add: Estimated current surplus on July 1, 1939.....	28,620,096.38
Total.....	30,713,666.38
Deduct: Estimated extraordinary expenditures.....	610,000.00
Estimated current surplus on June 30, 1940.....	30,103,666.38

The national budget for the fiscal year ending June 30, 1941, excluding the income accruing to and the expenditures chargeable against the collections derived from the coconut-oil excise tax, it is estimated that the total collections for the fiscal year ending June 30, 1940, will reach the sum of ₱97,061,880, including the amount of ₱9,625,230 which the Philippine National Bank recently paid to the national government as a refund on account of fixed deposits previously written off. For the fiscal year ending June 30, 1941, the total collections are estimated at ₱91,178,150, including the sum of ₱3,500,000 which it is expected will be realized from the Philippine National Bank as a refund on account of fixed deposits previously written off. The 1941 budget proposes a total appropriation of ₱89,149,130 for the ordinary or recurring expenditures.

Now, when Congress gives its approval to the transfer of the accumulated funds flowing from the sugar excise tax, and when this is added to the oil excise tax it will be found that annual contributions will approximate—on basis of present showing—about \$27,000,000 annually. This is such a great proportion of the total annual budget—\$27,000,000 as related to, say, \$42,500,000, a peso being equal to 50 cents American money—that when it is expended there will be danger of inflation of prices and great dislocation of industry in the islands during the period of expansion or immediately following its discontinuance. In fact, we are playing with great forces here. Those who are familiar with the economy of the islands, the standard of living of the people, the primitive state of the people, and the country can, when they comprehend the importance of such a vast sum of money as related to ordinary expenditures of Government, fully realize the dangers inherent in the policy we are following.

PRIOR REVENUES AND EXPENDITURES

Now let us look at some of the previous figures. From the annual report, Chief, Bureau of Insular Affairs, for 1938, we find the following:

	1934	1935	1936	1937
Total revenues.....	\$39,337,375	\$41,419,640	\$51,751,118	\$106,240,713
Expenditures.....	35,359,795	37,966,596	46,183,066	54,553,918

NOTE.—It is important to keep in mind that the receipts for 1937 include \$47,753,613 coconut-oil excise tax collected in the United States.

While it is difficult to obtain current figures on all these transactions, we do find from the report of the Joint Preparatory Committee on Philippine Affairs that by the end of March 1938 the United States Treasury had collected \$61,115,123 coconut-oil excise tax for remittance to the Philippine government, this being the sum which had accrued from May 10, 1934, to March 31, 1938. There is very little chance for the repeal of the excise-tax burden, and it would appear that for some years to come the Philippine treasury will be enriched by the flow of this excise-tax money from the United States. Now, as the excise-tax fund becomes larger and larger, and as it is augmented by the appropriations which are sure to be made to cover the accruals on the sugar excise tax, it is reasonable to assume that in due course a fund in the neighborhood of a quarter of a billion dollars, or even more, will be available for economic adjustment in the Philippines. This, my dear colleagues, certainly creates further Philippine uncertainty. In the United States we have had an example of just how planned economy works out or does not work out. We know what it means to have a vast sum of money turned over to Executive discretion. We know how leaks and fraud and waste can quickly develop. Yes; we have had some experience in using hundreds of millions of dollars making economic adjustments. Can we believe that in far-away, primitive Philippines, funds will be guarded with any greater degree of care and discretion than that which we have exercised in our continental United States? We have seen how such funds can be used for political purposes. Should we assume that this will not happen in the Philippine Islands? Personally, I shall not assume that it is not necessary for us to throw about and around these funds the greatest care that is humanly possible. In building up these vast funds we are creating great temptations for the Filipino politicians. Some day someone is very likely to look upon these accruals of excise-tax funds with great envy. Why do I say this? Because it is in keeping with the way legislative bodies operate. Revenues should always be kept within the bounds of reasonable needs. When they run sufficiently high to build up great excess funds, the temptation is there, and generally someone yields to temptation and a large percentage of the funds are squandered. For us to be parties to the building up of a great fund in the islands and then, through carelessness on our part as the Congress, to permit those funds to be squandered will be a greater disgrace to ourselves than it will be to the Filipinos who participate in a waste of the funds.

Mr. Chairman, to assist an honest man to pay his debts is a constructive step to take. On June 30, 1938, I am informed, the insular government of the Philippine Islands had bonded indebtedness outstanding in the sum of \$47,041,000, this sum being included in the 10-percent limitation. In addition, there was outstanding, not included in the 10-percent limitation, the sum of \$6,939,000, a grand total of \$53,980,000. There were outstanding bonds of railroads, guaranteed as to interest by the Philippine government, \$20,168,000. It might be a highly constructive step for the Commonwealth government to use some of the excise-tax funds for the purpose of paying off the direct and guaranteed debt of the insular government. A debt paid is an obligation discharged, while new buildings constructed add to the future burden in the form of taxes for upkeep.

Mr. WALTER. Mr. Chairman, I offer an amendment.
The Clerk read as follows:

Amendment offered by Mr. Walter: On page 97, line 20, strike out "\$324,500" and insert "\$331,500", and strike out "\$227,000" and insert "\$234,000".

Mr. SCRUGHAM. Mr. Chairman, the committee will offer no objection to the amendment. This item was omitted through a misunderstanding.

Mr. CARTER. If the gentleman will yield, I am not informed as to what item this relates to.

Mr. SCRUGHAM. It relates to coal statistics in the Bureau of Economics. The item was omitted through a misunderstanding, under the impression that this work was being handled by the Bituminous Coal Commission.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

Mr. O'CONNOR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. O'CONNOR: On page 86, line 10, insert a new paragraph, as follows:

"For water-conservation projects in the Great Plains, reimbursable, as authorized by the act of August 11, 1939 (Public, No. 398, 76th Cong.), \$1,500,000: *Provided*, That the amount of these funds expended on projects, in which, or in part, on Indian reservations shall not exceed one-fifth of the amount herein made available."

Mr. O'CONNOR. Mr. Chairman, I understand that this amendment will be objected to by the committee, and I therefore ask unanimous consent to withdraw it.

The CHAIRMAN. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I ask unanimous consent that the bill from page 113 to the end of the bill may be considered as read, with the understanding that points of order and amendments may be in order to that part of the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. REES of Kansas. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. REES of Kansas. Mr. Chairman, I make the point of order against the language beginning in line 12 on page 114 and extending to the end of the paragraph on line 19, page 115, that it is legislation on an appropriation bill not authorized by law, and that it contains contractual legislation.

Mr. WHITTINGTON. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. Does the gentleman from Oklahoma desire to be heard on the point of order?

Mr. JOHNSON of Oklahoma. No, Mr. Chairman; I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. Mr. Chairman, I submit that the point of order is without merit. These appropriations are specifically authorized in the act referred to in line 14, on page 114; that is to say, the Federal Highway Act of June 8, 1938. Section 8 or 9 of this act specifically authorizes appropriations for the purposes set forth in the paragraph to which objection has been made. I submit that the point of order is without merit and should be overruled.

The CHAIRMAN (Mr. COOPER). The Chair is ready to rule.

The gentleman from Kansas [Mr. REES] makes a point of order against the language beginning in line 12, on page 114, and ending in line 19, on page 115.

The Chair invites attention especially to the language appearing in the proviso beginning in line 2, on page 115, and extending through the paragraph. It appears clearly to the Chair that that is legislation on an appropriation bill, and the Chair therefore sustains the point of order.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Oklahoma: On page 114, line 12, insert a new paragraph as follows:

"Blue Ridge and Natchez Trace Parkways: For continuing the construction and maintenance, under the provisions of section 8 of the act of June 8, 1938 (52 Stat. 635), of the Blue Ridge and Natchez Trace Parkways, including not exceeding \$2,400, for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles, to be immediately available and remain available until expended, \$2,000,000, of which amount not to exceed \$50,000 shall be available for personal services in the District of Columbia: *Provided*, That \$700,000 and any other sums received from other sources for said Natchez Trace Parkway shall be allotted and expended ratably between the States of Mississippi, Alabama, and Tennessee according to mileage of said parkway in each respective State and said allotments shall be used for no other purpose."

The amendment was agreed to.

Mr. CARTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CARTER: On page 114, line 11, after the word "California", strike out the period and insert a comma and the following: "except in the floor of the canyon of the south fork of the Kings River."

Mr. JOHNSON of Oklahoma. Mr. Chairman, the committee will accept the amendment.

The amendment was agreed to.

Mr. VAN ZANDT. Mr. Chairman, I offer an amendment. The Clerk read as follows:

Amendment offered by Mr. VAN ZANDT: On page 143, after line 13, add a new section to be known as section 5, to read as follows: "No part of any appropriation contained in this act or authorized hereby to be expended shall be used to pay the compensation of any officer or employee of the Government of the United States, or of any agency the majority of the stock of which is owned by the Government of the United States, whose post of duty is in continental United States, unless such person is a citizen of the United States, or a person in the service of the United States on the date of the approval of this act, who, being eligible for citizenship, had theretofore filed a declaration of intention to become a citizen or who owes allegiance to the United States."

Mr. VAN ZANDT. Mr. Chairman, my amendment is similar to the amendment already adopted by the House when considering the appropriation bills for the Navy and non-military functions of the War Department.

Reduced to a few words, the expenditure of the funds appropriated under this bill is restricted to the employment of only American citizens. This restriction applies only to those whose post of duty is in continental United States.

With 10,000,000 of our fellow Americans unemployed it behooves us to adopt such an amendment to aid our country in assisting our own citizens who are jobless through no fault of their own.

I respectfully request your support of the amendment.

Mr. JOHNSON of Oklahoma. Mr. Chairman, the committee is very pleased to accept the amendment.

Mr. MARCANTONIO. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment is similar to several amendments, in fact, to a series of amendments, we have had during this session of the Congress which make it impossible for one who is not an American citizen to be employed on any of the projects or any of the works contemplated under these appropriations. Last week we had a similar amendment with regard to the nonmilitary appropriation bill and this week we have this amendment with regard to the Interior appropriation bill.

I wonder if I could get this Congress to pause and dispassionately consider just what we have been doing to the foreign-born. I wonder if it is possible to have you lay aside your prejudices and bigotry. I wonder if it is possible to have you drop your un-American offensive against a man who is law-abiding, who is trying to become a citizen of the United States, who is trying to raise native American children as good Americans. I wonder if it is possible to have you desist from depriving him of an opportunity to earn a living for himself and for his native American family?

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman.

Mr. VAN ZANDT. I think if the gentleman will read my amendment he will find that where an alien has applied for first papers and takes an oath of allegiance to the Government of the United States, he is excluded from the amendment.

Mr. MARCANTONIO. And the gentleman well knows that in applying for first papers, the foreign-born is confronted with a procedure that is so difficult and lengthy that an applicant has to wait 10 months or more before receiving his declaration of intention. Often because of his inability to meet red-tape requirements he never receives his declaration of intention. Furthermore, you do not make good citizens by jamming citizenship down people's throats. American citizenship is and has been a voluntary act, and these people want to become citizens. This Congress has refused

to give sufficient funds to the Naturalization Service so that it is now understaffed and the foreign-born has to suffer long periods of delay. You have refused to make naturalization a reasonable procedure. To the contrary you have made it most difficult for the foreign-born to become a citizen and now you try to starve him because he is not a citizen. These people are anxious to become citizens, but what happens? Before the average courts of the States and of the United States they are asked questions that even a United States Supreme Court judge cannot answer.

There are all kinds of impediments set before them which I have not the time to describe, and there is so much red tape involved that becoming a citizen is today a most difficult process. I make no criticism of the Naturalization Service. It is doing the best it can. Congress will not give it the funds it needs nor has this Congress ever given any thought to make the process reasonable. On the one hand we make it virtually impossible for the foreign-born to become a citizen, and on the other hand you say to him, "You are going to starve because you are not a citizen of the United States." What brand of Americanism is this? I say it is Ku Klux Klanism.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. I yield.

Mr. CASE of South Dakota. Does not the gentleman think that while there are American citizens out of work, the United States Government should not employ these people who have not signified their intention to become a citizen of the United States?

Mr. MARCANTONIO. You are not going to solve the unemployment problem by depriving anybody of work. The only way to solve the unemployment problem is to provide work for everybody. Deprive any group of people of their purchasing power and you aggravate the problem of unemployment. What are you going to do with these people anyway? Are you going to shoot them down?

Mr. CASE of South Dakota. We should urge them to become citizens of the United States.

Mr. MARCANTONIO. You urge them how? By making it almost impossible for them to be citizens. There was a time in the history of this country when the National Manufacturers Association sent agents to southern and eastern Europe, and to Ireland and various other places, and their agents pictured a beautiful land here and said, "Come on over—big wages, good living, hospitality, and a keen desire to help you." People believed them. They sold their few belongings and were herded into steerages. They greeted the Statute of Liberty with tears in their eyes, and their hearts were swelled with the desire to become Americans, raise their families as Americans, and to become an integral part of a great democratic Nation. No sooner had they turned their heads, they found themselves in Ellis Island. Soon they learned that the promises were fakes; that they had been induced to come here to be used as cheap labor—industrial cannon fodder of the labor exploiters.

On Ellis Island they put tags on them and they took them from Ellis Island and shipped them off to work in the mines, the roads, the mills, the sweatshops, and on the railroads. These men and women worked and worked hard, and at the end of each month instead of getting any wages, they would often be informed that after deducting their wages they still owed the company commissary money. At that time when we wanted cheap labor, it was marvelous to get these people here because we could exploit them, but since that time, since these foreign-born workers have fought for the American standard of living and have been insisting on union and trade-union rates, we no longer want them. These people helped build America. Now, that they have joined with their citizen fellow workers to help make America a happy nation of a happy people, we persecute them under the name of Americanism. This is not Americanism, it is know-nothingism. Remember, Mr. Chairman, what is going on in this House is a repetition of the vile Know Nothings, practices that existed in this country prior to 1860. This is Know Nothings legislation that we are putting in these bills

day in and day out. We are practicing the Know Nothings creed, and we who are of this foreign-born stock resent deeply your persecution of our people of whom we are proud. We resent it because it is wrong.

We resent it because you are going to the limit to hound and persecute the foreign born. The other day you passed an amendment which prohibits any American family to live in any low-cost Government-financed housing project if any one member of the family is not a citizen. And you call this Americanism? I am pleading for these people because they are good Americans, even though they do not possess a certificate. I plead for their native American children. If this is Americanism, if this legislation which forces the foreign born to travel along another via Crucis is the kind of legislation of which this Congress is proud, all right. You can have it, but I am telling you that the children, relatives, and friends of the foreign born and all others who still adhere to genuine American traditions resent this Know-Nothings legislation and will remember its proponents on election day.

Mr. CASE of South Dakota. Mr. Chairman, I move to strike out the last word. I shall take only a moment or two. I submit that if these people to whom reference has been made are good Americans, then they will become citizens of this country.

There is no Know Nothings legislation about this. Quite to the contrary. Out in my district one of the largest employers of labor, a private industry, some years ago voluntarily set up for itself this standard of employment. That industry required that whenever it employed new people they must be citizens, or at least must have applied for first citizenship papers. They paid the highest standard of wages of employers in that territory. The personnel manager told me that they found it to be good business, that when these people found that American citizenship meant something to them, they commenced to take an interest in their community and commenced to be better citizens and Americans. They cut loose the old ties and the United States became "our country" to them.

There can be nothing wrong in saying that when the taxpayers foot the bill to pay for employees of the United States, that we should give preference at least to American citizens or those who have declared their intention to become citizens before we employ aliens. [Applause.]

Mr. HINSHAW. Would the gentleman be willing to say whether or not United States citizens can be employed by any other government in the world?

Mr. CASE of South Dakota. I do not know of any such instance.

Mr. MURDOCK of Arizona. Is it not true that many of the States of the Union have similar laws forbidding public employment by the State or its subdivisions of aliens or of people who are not citizens or residents of the States?

Mr. CASE of South Dakota. I think many States do have such legislation.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I merely state that similar amendments have been added to nearly every bill that has been passed here. There is no objection to this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Page 101, line 16, strike out "\$2,808,460" an insert "\$2,815,460."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CARTER. Mr. Chairman, I move to strike out the last word, to say in connection with the amendment I offered a few moments ago, relative to the Kings Canyon National Park in California, that the amendment was made necessary because the bill as reported by the Committee on

Appropriations carried a provision that no funds for road building could be used in that park.

While it was the understanding of the committee that no roads were to be built, still the Park Service had never appeared before the committee in behalf of this park. At the time of the hearings on the Interior Department bill this area was not a national park; therefore, the National Park Service made no representations with reference to this park. Within the last day or two the bill making this area a national park has been signed. Since this bill was reported it has developed that the Park Service does want to make a few miles of entrance road. All the discussion in the committee at the time this amendment was under consideration was to the effect that according to the unofficial information no roads were contemplated and, if they were, the committee felt that a comprehensive plan of roadbuilding should not be commenced there without the matter being placed before the Committee on Appropriations. As I say, it developed afterward that the Park Service does desire to make an entrance road of a few miles and to make a turn-around and parking areas. There was no desire on the part of the committee to impede the development of this park and I believe I am correct in saying that they are unanimous for the amendment I have offered. From the Park Service I have obtained a statement of their plans of development, as follows:

ROADS AND TRAILS IN KINGS CANYON NATIONAL PARK

The allotment of roads and trails funds to the new park are necessary for these reasons:

1. From 50,000 to 75,000 automobiles may be expected to enter the South Fork Canyon during 1940. Camp roads and parking areas must be built to distribute and care for this influx or irreparable damage will be done to the vegetation and scenery. It is not expected to construct any major roads within the park or to push a road up the South Fork Canyon beyond a suitable turn-around point near Zumwalt Meadow.

2. It will be equally necessary to construct footpaths, trails, and bridle paths in the South Fork Canyon to distribute foot and saddle travel.

3. A beginning, but a small beginning, toward the above has been made by the Forest Service; but they have been faced with the indefinite status of the area and they were not confronted with the actual fact of automobile travel, as is the Park Service, because of opening of new State highway early in 1940.

4. There are over 400 miles of used trails in the park, much of which is in condition dangerous to stock, notably sections of the John Muir Trail over Glen Pass, the Middle Fork Trail from Tehipite to Simpson Meadow, the Muir Pass Trail from Little Peto Meadow to Evolution Basin. All trail use will intensify, and unless there is maintenance and improvement work they will become impassable. This is particularly the case this year as California has experienced its heaviest rains in many years.

SUMMARY

The allotment of moderate sums for minor road construction, for parking areas, for road and trail maintenance and improvement cannot operate to destroy the wilderness aspect of the park, but will preserve it from destruction by unregulated automobile traffic.

The Service and the Department of the Interior are irrevocably committed to the preservation of the Kings Canyon National Park as a wilderness park, with no additional road construction beyond that necessary to care for motor travel already brought with the South Fork Canyon. The deprivation of roads and trails funds will operate to hinder administration, protection, and maintenance, and will result in a condition which will reflect upon the Service and the Congress.

Mr. DIRKSEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am reluctant to trespass on the indulgence and patience of the Committee at this late hour, but I should remind you that this bill carries \$265,000 for the Virgin Islands, of which \$90,000 is to be used to reimburse deficits in the treasuries of St. Johns, St. Thomas, and St. Croix. My only reason for alluding to it is because in another body a distinguished Member has introduced a resolution this week for the purpose of setting in motion negotiations with Great Britain and France looking to the purchase of Windward Island, Leeward Island, Bimini Island, Nassau Island, Trinidad Island, Bermuda, and a couple of bushels of other islands. The proposal is predicated upon the belief that these islands are essential to our national defense and as a means of collecting the war debts.

In view of the distressing and very vexatious experience that we have had with the Virgin Islands, reimbursing as we do today, the deficits, and in view of the fact that a similar situation exists in the other islands in the Caribbean today, I am apprehensive that Great Britain and France may undertake to accept the deal that would be offered in such a resolution. So I raise my voice against it. If they want to collect the war debt, let us start negotiating for Canada and be practical about it. [Applause and laughter.]

Mr. SCHAFFER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. SCHAFFER of Wisconsin. Has Uncle Sam's rum business in the Virgin Islands been operated at a profit or a loss?

Mr. DIRKSEN. I would say we are producing about 80,000 gallons of Government House rum and they have a gentleman on the pay roll figuring up new recipes whereby sales may be expanded. But if you look at the hearings you will see how distressing our experience has been with the Virgin Islands and the industries there.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. RICH. The gentleman knows that we went in the red to the extent of \$23,000 in the Virgin Islands rum plant and we did not charge anything for taxes and we did not get anything on the \$2,600,000 we have spent there. If that is a good corporation, then we know nothing about corporations.

Mr. DIRKSEN. Let me suggest the language in the bill itself on page 136:

For defraying the deficits in the treasuries of the municipal governments, because of current expenses, \$90,000.

Mr. KELLER. Will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. KELLER. Is that what makes the gentleman jealous, that Government House rum?

Mr. DIRKSEN. The amount of Government House rum they make in the Virgin Islands is such a picayunish amount compared with the rum and whisky we have manufactured in the city of Peoria alone that it is not worth worrying about. [Laughter.]

On the face of it, the logic of the proposal would appear almost unassailable. It goes like this: Since the war-debtor nations have refused or neglected to pay up and since the debts are becoming cold and seemingly uncollectible, let us venture in the real-estate business on a wholesale scale and take over a score of islands as part payment. Moreover, we must protect the Panama Canal, and since many of these islands are in the proximity of the Canal, we should own them. It makes a most plausible case.

But wait. We already own the Virgin Islands. Is it not a bit strange that the real experts on national defense in the War Department, as distinguished from some of the amateur experts outside the War Department, have never made a survey of the defense possibilities of these islands, insofar as I can learn? Is it not strange that nothing appears in the pending bill to fortify the Virgin Islands? Is it not strange also that we have not made any special effort to fortify Puerto Rico, which lies but 60 miles from the Virgin Islands? Whence comes the idea that we should accumulate a score of impoverished Caribbean Islands for defense purposes when in fact there is no showing whatsoever that they are necessary?

These are days of mobile navies and speedy planes, and it would be interesting to see by what ratiocination those who would have us go into the real-estate business can establish the contention that these islands are essential to our defense. The naval base which we established in the Virgins was withdrawn nearly 10 years ago, so that apparently the Virgin Islands do not loom so large in the plans of the Navy Department.

But this other argument; how convincing it seems. Since the war-debt nations refuse to pay, let us take what we can get. An assortment of islands to add to our insular domain would be better than no remittance at all. But would they?

We have had the Virgin Islands for 23 years, and they have been a vexation ever since. They have been dubbed "America's poorhouse." Governor Cramer himself has testified that more than \$3,000,000 has been invested in land, sugar plants, factories, houses, and in a Government distillery. Other funds have been invested. Sugar has not succeeded. Government rum has scarcely succeeded. The three island governments come to us year after year as mendicants to reimburse the deficits which they incur. Emergency funds and aid of various kinds have been dumped into these islands, but all to no avail. During the period of United States ownership, the population has diminished by about 5,000, and it is fair to assume that many of them have migrated to the United States to add to our own problem of unemployment and relief. Now, some would have us venture into the acquisition of other Caribbean islands, only to become a place where additional funds from our own taxpayers might be dumped.

Back in 1917, when these islands were acquired, there was the familiar fanfare that these islands had commercial importance and strategic value. Wonder what has happened to that argument? As for commercial importance, they constitute a splendid way of adding to our national debt, our annual deficits, and to the continued maintenance of a national poorhouse.

What is true of the Virgin Islands is equally true of Puerto Rico. For more than 40 years we have administered Puerto Rico. What is the score? Every year we dump funds into Puerto Rico under the Smith-Lever Act, the Bankhead-Jones Act, and other acts to stimulate a decadent agriculture.

In round figures, the Puerto Rico Reconstruction Administration has received about \$60,000,000 for relief and rehabilitation work. About \$30,000 is spent annually in the island for enforcing prohibition. Another \$50,000 has been recommended for the agricultural experiment station. Still another \$128,000 was recommended for expenditure there under the Bankhead-Jones Act and another \$105,000 for vocational education by the Office of Education. We also operate C. C. C. camps in the islands so that all in all, the Puerto Rican situation has been a sorry affair.

To crown our efforts, the application of the provisions of the Wage and Hour Act destroyed the needlecraft industry in Puerto Rico, made it impossible for them to compete with needlecraft imports from other low-wage countries, and the islanders are now appealing to us for additional aid.

As for its importance in national defense, let me direct attention to a bill which was introduced by Senator TYDINGS to provide a plebiscite under which the Puerto Ricans might determine whether they wish to continue as a dependency or become wholly independent. All in all, this has been a tragic and costly experience for 40 years, and if the facts are fully known, I doubt that the taxpayers of this Nation would approve of any proposal to take on more grief by acquiring islands that have no defensive value and which would only constitute a further burden on the Federal Treasury.

To be sure, the national heart should never lose its charitable instincts, but there is such a thing as too much charity at the expense of the taxpayers. With the exception of Bermuda, the islands which it is proposed to bring under the folds of our flag are impoverished, unhealthy, unhappy, unimportant, and unnecessary as a part of the defense establishment of this Nation. My apprehension is that Great Britain and France in the light of their sorry experiences with these Caribbean Islands, might be only too glad to transfer them to this country for a fancy consideration and with it hand us the vexing task of doling out huge appropriations at the expense of the taxpayers of this country to maintain order and provide sustenance for the impoverished natives in these worthless tropical areas.

I, too, share the general desire to secure payment on our war debts. But in approaching that problem, let us be practical. Let us negotiate for Canada.

Mr. VOORHIS of California. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I will not take 5 minutes. I ask for this time only that we may close debate on this bill by looking at the doughnut instead of the hole.

This bill is of vast importance to thousands of people in this country. I could take you to my own State and show you thousands of families, literally homeless people, who have come out of sections of the country where the fertility of the soil has been exhausted, the topsoil washed or blown away, or where changes in agricultural methods have driven them from the place where they have made their farm home. Those people are looking for new homes. They are good people—old American stock. They are looking for work in the vast majority of cases—and for a new home. What they want more than anything else is a place where they can reroot themselves on the soil of America and follow the way of farming, which has been the basis of our civilization from the beginning.

This reclamation program and this public-power program are making possible the homes that those people so sorely need and which we in California especially need to have them have. This reclamation and power program is giving us a new American frontier. It means a great deal to the people of the State of California as well as from other sections of the country that we do all we can to create that frontier.

I am also deeply interested in the proposal that has been made that we conserve by a comprehensive program the water and develop the greatest practicable amount of water in the Great Plains area. That, too, is important for us of the far West who are having such difficulty in absorbing the great numbers of people who have been coming to our State in recent years.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. O'CONNOR. Is it not a fact that people who have been droughted out in the Great Plains area go to the Pacific Coast States of California, Oregon, and Washington, and thereby become a burden on the tax-relief rolls of those States?

Mr. VOORHIS of California. That is all too true, and it presents a great problem from the standpoint of school districts, our county hospitals, and in many other respects. Of course, under conditions of general prosperity the situation would be less difficult, but when, as now, we already have large numbers of people unemployed and in need, the added numbers make the situation more difficult.

Mr. Chairman, I had not intended to speak even as long as I have, but I do want to say that from the standpoint of this great human problem the Interior Department appropriation bill we are passing today is a great forward step. I regret only that it does not contain appropriations for conservation work in the Great Plains area so as to help people to stay where they are and make a good living because the life-giving water is present to make the land produce.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. RANKIN. Let me say to the gentleman from California that the public power plant in Los Angeles has been more responsible than any other cause in bringing down light and power rates in California.

Mr. VOORHIS of California. That is right and could be demonstrated in a dozen ways. Indeed the gentleman has stated the case conservatively. Like him I believe that streams and waterfalls are a gift of God to all the people to be used by all the people for the lighting of homes and the furnishing of power at cheap rates to farms and factories.

Mr. RANKIN. If the people of California were overcharged as much last year as were the people in Illinois, the home State of the gentleman from Illinois [Mr. DIRKSEN] were overcharged, they would have been overcharged \$100,000,000.

Mr. VOORHIS of California. That is right and I thank the gentleman very much for his contribution. Indeed, largely because our rates have been reduced as they have, the number of residential consumers of electric power from the bureau of light and power of Los Angeles has almost doubled since 1935.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. O'CONNOR. The main reason for my withdrawing my amendment, which provided for an increase in the appropriation for conservation of water and the development of small irrigation projects on which relief labor could be used, was that I was assured that through another more effective means a larger appropriation would very likely be secured, and that should my amendment be defeated by the House it might in some way impair the chances of success of securing such larger appropriation by such means. It is imperative that we try to hold our people upon ranches by such improvements, and particularly so when relief labor can be employed, as such improvements would inure to the permanent benefit of the people and the country.

Mr. VOORHIS of California. I understand.

Mr. REES of Kansas. Mr. Chairman, I ask unanimous consent to extend my own remarks in the Record at this point.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. REES of Kansas. Mr. Chairman, I rise in support of my point of order against the paragraph that not only appropriates \$2,000,000 for these highways, but in addition thereto authorizes those in authority in the Park Service to enter into contracts to spend \$2,000,000 more, and levy that much more against the taxpayers of this country. I believe the members of this committee know that this is legislation providing for contractual expenditures without legislative authority. It does not belong in an appropriation bill. The extra two million is here so that you will have that much more to spend on these projects.

Now what about the merits of this proposed legislation? This money is to be expended on two scenic highways—the Blue Ridge and the Natchez Trace Highways. One of them, when completed, will be more than 400 miles long. They call them "parkways," so as to have the excuse of securing Federal funds to pay the entire bill of construction and maintenance. I am informed that these two highways will cost about \$60,000,000 or \$70,000,000. In addition will be the cost of maintenance. I do not know of any place in the United States where highways of this length are built entirely at the expense of the Federal Government. No doubt they are fine scenic highways.

They traverse mountain regions in four or five Southern States. They will be used mostly by the leisure class of our people. The Congress long ago adopted a policy of matching dollars 50-50 with the local communities for building highways. Here, Uncle Sam pays the entire bill except that the States or the counties provide the land. Do you think this is either right or fair to the people of this country? You know it is not right. These particular highways were started with an allotment of W. P. A. funds by the administration. During the last 3 years Congress has been called upon to appropriate millions to keep the projects going. I maintain it is an extravagant expenditure of money and should not be allowed. If you want to build these highways, why not put them on the same basis and build them as we build highways in other parts of the country? It is favoritism, pure and simple. You know that.

If this proposition were in a bill of its own and required to stand on its own feet, on its merits, I just do not believe it would pass the House. Being only a part of a bill appropriating more than \$150,000,000, for many projects in various parts of the country, it will be approved without much discussion as to its merits.

This legislation is favoritism, it is extravagant. The overburdened taxpayers of this country should not be asked to bear this extra burden. They just cannot afford it.

Mr. ALEXANDER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ALEXANDER: On page 143, after line 14, insert a new section to be known as section 6, to read as follows:

"No funds appropriated herein shall be expended for salaries, administrative expenses, travel, or other purposes in any Territory or former possession where refunds of excise-tax collections are being made to such Territory or former possession."

Mr. JOHNSON of Oklahoma. Mr. Chairman, I make the point of order against the amendment that it constitutes legislation on an appropriation bill.

The CHAIRMAN. Does the gentleman from Minnesota desire to be heard on the point of order?

Mr. ALEXANDER. If the Chair please.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. ALEXANDER. Mr. Chairman, it does not seem to me that this is legislation that comes within the previous rulings of the Chair, because it is a limitation and therefore comes under the Holman rule.

Mr. TABER. Mr. Chairman, it is a pure limitation.

Mr. JOHNSON of Oklahoma. Mr. Chairman, this is not germane because it refers to appropriations not covered by this bill.

Mr. ALEXANDER. Mr. Chairman, answering the gentleman from Oklahoma I suggest that the bill carries an appropriation of \$141,000 to which this amendment directly refers and therefore should be germane.

The CHAIRMAN (Mr. COOPER). The Chair invites attention to the fact that the bill does carry certain appropriations for the Philippine Islands, the Virgin Islands, and insular possessions. The Chair therefore is under the impression that the amendment is germane to the provisions of the pending bill, and the Chair is of the opinion that the amendment offered is in the form of a limitation and would be in order. The point of order is overruled.

The gentleman from Minnesota is recognized for 5 minutes.

Mr. ALEXANDER. Mr. Chairman, I am sorry to take the time of the committee at this late hour but there are two points in connection with this amendment which it seems to me are well worth not only the attention of this body but the attention of the general public.

In the first place, I think this appropriation of \$141,000 for the United States High Commissioner to the Philippines, which I am aiming at, is exorbitant and excessive, and a great waste of money. In support of this contention I call attention to the fact that this amount is nearly three times what the Governor General of Canada is allowed annually for the salary of himself and expenses of his office. It is a fact, I am informed this afternoon, that the Governor General of Canada is allowed only \$10,000 a year for expenses. This is less than \$50,000.

The Governor General of the Commonwealth of Australia spends only £7,500, which is less than \$37,000, and considerably more than \$100,000 under the \$141,000 we are being asked to appropriate for the United States High Commissioner to the Philippines. I submit that both Canada and Australia are far more important and larger colonial possessions than the Philippines, so on the basis of these comparisons the appropriation requested is all out of reason. The Governor General of New Zealand receives only £7,500 per annum. An equal amount from us for our Commissioner to the Philippines would be much more reasonable.

But let me call your attention to one additional fact. Not only are the Governors General of those Dominions which I have mentioned chosen by the King of England, but I am informed the Dominions pay every penny of the expenses of these Governors General, whereas we ourselves are asked to pay \$141,000 to support the United States High Commissioner to the Philippines. For what purpose? If you will read the hearings you will find that the purposes are very cloudy. There seems to be very little reason, as was developed by questions in the committee.

In addition to that the appropriation that is being requested is nearly as much as requested in the previous year, although we have just spent \$750,000 to build new quarters for our High Commissioner to the Philippines, which has just been completed. On a 3-percent-for-interest basis, plus 2 percent for depreciation per annum, we should be saving approximately \$37,500 in order to justify the expenditure of this huge sum. But instead of that, after spending \$750,000 to build palatial quarters and a house for our High Commissioner, we are saving only \$4,000; as shown in the committee hearings. We might better continue to rent quarters at

\$16,000 plus, which we paid before. We could be saving over \$20,000 on that basis per annum. O Consistency, where art thou!

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. ALEXANDER. I yield to the gentleman from Wisconsin.

Mr. SCHAFER of Wisconsin. Who was the High Commissioner when the American taxpayers were called upon to spend three-quarters of a million dollars for a palace in the Philippine Islands?

Mr. ALEXANDER. I believe it was one of the potential candidates for President.

Mr. SCHAFER of Wisconsin. Was it Mr. Paul McNutt, of Indiana?

Mr. ALEXANDER. May I say in this connection, it is not strange that our High Commissioners come back to this country prepared to carry on a campaign for the Presidency, in view of the tremendous sums which we are squandering there year after year for this useless purpose, both by way of refund of their excise tax collections amounting to many millions per year as well as this annual appropriation for the High Commissioner's establishment. Let us support this amendment and save making further mistakes in this connection. [Applause.]

[Here the gavel fell.]

Mr. ALEXANDER. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

Mr. RAYBURN. Mr. Chairman, it is very late. I hope the gentleman will not press his request.

Mr. ALEXANDER. Mr. Chairman, I withdraw my request.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Minnesota [Mr. ALEXANDER].

Mr. Chairman, as the gentleman from Texas stated, it is very late. The gentleman from Minnesota has no doubt made a study of this question. He offers an amendment here in the form of a limitation which we know is, in fact, a legislative matter that ought to be decided by a legislative committee. The Members do not know what the effect of his amendment might be. It may have a very far reaching effect. The gentleman has in mind the Philippine Islands. I would not say that he has a grudge against those people, because I do not know what his attitude is, but he offers this amendment. It may be very far reaching in its effect. The gentleman had an opportunity to appear before the committee, but he did not come before the committee. At this late hour I do not think we should be called upon to discuss and decide a very important legislative matter that might be very far reaching in its effects. Mr. Chairman, for the reasons stated, I think we should defeat the amendment.

Mr. RANKIN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the gentleman from Minnesota [Mr. ALEXANDER] went out of his way to attack the distinguished gentleman from Indiana, Hon. Paul V. McNutt. Here are his exact words, as taken down by the official stenographer:

Mr. SCHAFER of Wisconsin. Who was the High Commissioner when the American taxpayers were called upon to spend three-quarters of a million dollars for a palace in the Philippine Islands?

Mr. ALEXANDER. I believe it was one of the potential candidates for President.

Mr. SCHAFER of Wisconsin. Was it Mr. Paul McNutt, of Indiana?

Mr. ALEXANDER. May I say in this connection, it is not strange that our High Commissioners come back to this country prepared to carry on a campaign for the Presidency, in view of the tremendous sums which we are squandering there year after year for this useless purpose.

Mr. RANKIN. What an insult.

Paul McNutt never took a dollar dishonestly in his life. He never dreamed of doing such a thing. There is not a more honorable man in America, as everyone knows. Yet the gentleman from Minnesota [Mr. ALEXANDER] stood here and intimated that Paul McNutt came back from the Philippines a rich man as a result of his service there. That is exactly what his words indicated, and I do not propose to let him make any such insinuation in this House and get away with it.

Paul McNutt served a great purpose in the Philippines; he discharged his duties honorably and well. He never took a dollar except the salary paid him by the Government. He really served at a loss. There is not a more honorable or a more able or a more worthy man in this Republic than Paul V. McNutt. There is not a man who stands higher in his own State. He made one of the greatest Governors Indiana ever had. He made one of the greatest national commanders the American Legion ever had. He stands high with the American people in every section of the country, as one of the ablest and most conscientious public servants this Nation ever had; and I do not propose to have the gentleman from Minnesota or anyone else stand here and in his partisan enthusiasm make such vicious and unwarranted insinuations against a man of his sterling character without a vigorous protest. [Applause.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, I ask unanimous consent that all debate on the bill close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma [Mr. JOHNSON]?

There was no objection.

Mr. SCHAFER of Wisconsin. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I am certainly surprised to find our good friend, the distinguished gentleman from Mississippi [Mr. RANKIN] making the speech which he made a few moments ago, in denunciation of one of our colleagues, and accuse him of saying something in the Well of this House which the gentleman from Minnesota [Mr. ALEXANDER] did not say.

Mr. RANKIN. Yes; he did.

Mr. SCHAFER of Wisconsin. In order to keep the Record straight, he did not, the statement of the gentleman from Mississippi to the contrary notwithstanding. The gentleman from Mississippi accused the gentleman from Minnesota of accusing Paul V. McNutt, a New Deal potential Presidential candidate, of taking money himself and being personally dishonest. When you read the Record tomorrow you will find that the attack on the gentleman from Minnesota by the gentleman from Mississippi is manifestly unfair, as shown by the Record. The gentleman from Minnesota merely stated that during the administration of Paul V. McNutt as United States High Commissioner in the Philippines, there was expended from our almost bankrupt Federal Treasury \$750,000 of our American taxpayers' money to erect a magnificent palace in the Philippine Islands in which to house Mr. Paul V. McNutt, who is now a leading New Deal Presidential candidate.

Of course our New Deal brethren are liberal with the American taxpayer's money when it comes to housing programs. Yesterday they tried to appropriate several million dollars for a housing program for Uncle Sam in Alaska, after they had purchased a million dollars' worth of reindeer for him to play Santa Claus.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. SCHAFER of Wisconsin. I yield to the gentleman from Michigan.

Mr. CRAWFORD. The important thing is this. This is no time for any Member of this House to criticize another Member because he holds certain views with reference to our program of uncertainty in the Philippine Islands. We have built up in the form of excise taxes a fund of about \$90,000,000 up to date on coconut oil alone, which we are sending over there.

We have accumulated a fund, which the Committee on Appropriations, in due course of time, is going to ask us to appropriate, on sugar excise taxes, which will move the total up another \$25,000,000 or \$35,000,000. We are moving toward a quarter of a billion dollars to be handed to the treasury of the Philippine Islands. I am one Member of the House who is going to discuss the situation any time I get ready, regardless of what the gentleman from Mississippi may have to say.

Mr. SCHAFER of Wisconsin. For the record, let us not forget the notorious Two-Percent Paul V. McNutt Political Shakedown Clubs in the State of Indiana in the United States

of America. Let us not forget that our New Deal President said that one-third of the American people are ill-fed, one-third of them are ill-housed, and one-third of them are ill-clothed.

In view of this distressing condition in the United States and in view of the fact that our Federal Treasury is almost bankrupt, I believe it comes with poor grace for a New Deal leader like the gentleman from Mississippi [Mr. RANKIN] to denounce our colleague from Minnesota for merely protesting against raiding that Treasury at the request of Paul V. McNutt, former United States High Commissioner in the Philippine Islands, to erect a palace at a cost of three-quarters of a million dollars in the Philippines.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. SCHAFER of Wisconsin. I yield to the gentleman from Oklahoma.

Mr. JOHNSON of Oklahoma. I am surprised that the gentleman from Wisconsin would be so blindly partisan as to make such a silly and absurd charge. The fact, however, that he makes such an unfounded charge is evidence that the would-be Republican leader from Wisconsin, and a lot of other members of his party are fearful that Paul McNutt might be the Democratic nominee for President. Of course neither Governor McNutt nor any other High Commissioner of the Philippines could possibly have had anything at all to do with the construction of a building in the Philippine Islands. That appropriation was made by a Congress of which the gentleman was, as I recall, a Member. The building in question is nothing like as pretentious as buildings owned by other countries there. To now charge Governor McNutt with being responsible for the construction of that building seems to be in keeping with the gentleman's idea of good sportsmanship and fair play. Now, I would like to ask the gentleman from Wisconsin if he really does not feel that he ought to apologize for his uncalled-for remarks against a great American?

Mr. SCHAFER of Wisconsin. If the gentleman wants to apologize and blame another New Deal potential Presidential candidate, Mr. Murphy, who preceded Mr. McNutt as the New Deal representative in the Philippines, we will let him do so. Let us then say that Mr. Murphy is responsible for spending \$750,000 of the American taxpayers' money to build a palace in the Philippines for Mr. McNutt to live in and maintain at considerable expense to our American citizens, one-third of whom are ill-fed, ill-clothed, and ill-housed, according to our New Deal President. [Applause.]

[Here the gavel fell.]

The pro forma amendments were withdrawn.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The amendment was rejected.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. RAYBURN) having resumed the chair, Mr. COOPER, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill H. R. 8745, the Department of the Interior appropriation bill, 1941, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment?

Mr. MARCANTONIO. Mr. Speaker, I ask for a separate vote on the Van Zandt amendment.

The SPEAKER pro tempore. Is a separate vote demanded on any other amendment? If not, the Chair will put the other amendments en gross.

The amendments were agreed to.

The SPEAKER pro tempore. The Clerk will report the amendment on which a separate vote is demanded.

The Clerk read as follows:

Amendment offered by Mr. VAN ZANDT: On page 143, after line 13, add a new section to be known as section 5, to read as follows:

"No part of any appropriation contained in this act or authorized hereby to be expended shall be used to pay the compensation of any officer or employee of the Government of the United States, or of any agency the majority of the stock of which is owned by the Government of the United States, whose post of duty is in continental United States unless such person is a citizen of the United States, or a person in the service of the United States on the date of the approval of this act, who, being eligible for citizenship, had theretofore filed a declaration of intention to become a citizen or who owes allegiance to the United States."

The SPEAKER pro tempore. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. MARCANTONIO) there were—ayes 153, noes 17.

Mr. MARCANTONIO. Mr. Speaker, I object to the vote on the ground there is not a quorum present, and I make the point of order there is not a quorum present.

The SPEAKER pro tempore. The Chair will count. [After counting.] Two hundred and twenty-five Members are present, a quorum.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PERMISSION TO EXTEND REMARKS

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent that all Members who have spoken on the bill just passed may have 5 legislative days within which to extend their own remarks in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. COLE], who spoke on the bill, may have permission to extend his remarks and to include certain excerpts.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—RELIEF OF CERTAIN FORMER DISBURSING OFFICERS (H. DOC. NO. 652)

The SPEAKER pro tempore laid before the House the following message from the President of the United States:

To the House of Representatives:

I return herewith, without my approval, H. R. 7050, entitled "An act for the relief of certain former disbursing officers for the Civil Works Administration."

The bill would authorize and direct the Comptroller General of the United States to credit the accounts of 18 former disbursing officers of the Civil Works Administration with certain amounts specifically set forth therein, the purpose apparently being to permit the balancing and closing of the accounts of the respective disbursing officers. The bill contains no wording which would identify the outstanding items in the accounts and no other wording which would permit or enable the Comptroller General to give effect to its apparent purpose, or to do otherwise than credit these specific amounts. If all of these amounts were correct—that is, represented the present outstanding balances—the form of the bill would not be objectionable.

However, in the case of five of the accounts (Davis, McCracken, Bates, Wahlers, and Carrico) the amounts stated in the bill exceed the actual present outstanding balances and in the case of three of the accounts (Minnis, McIntosh, and Waters) the amounts are less than the present outstanding balances. With respect to the first of these two groups, the enactment of the bill in its present form would result in over-

credits which might eventually entail payments, or the equivalent thereof, to the disbursing officers to the extent of such overcredits and with respect to the second group some differences would still remain outstanding. In the case of one of the accounts (Morris) the account is being reviewed in the General Accounting Office and final settlement may show an outstanding balance at variance with the amount specified in the bill.

Because of the variations in amounts, the bill, in its present form, would in large part fail to accomplish its apparent purpose and would, as hereinbefore indicated, be otherwise objectionable. Under these circumstances, and in accord with the recommendation of the Acting Comptroller General, I am withholding my approval of the bill.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, March 7, 1940.

The SPEAKER pro tempore. The objections of the President will be spread at large upon the Journal.

Mr. KENNEDY of Maryland. Mr. Speaker, I move that the message, together with the bill, be referred to the Committee on Claims and ordered printed.

The motion was agreed to.

ADJOURNMENT OVER

Mr. WHITTINGTON. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 12 o'clock on Monday next.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, and I shall not object, I would like to inquire what the program is for next week.

The SPEAKER pro tempore. As far as the program has been worked out, Monday is District Day, and I have been informed by the chairman of that committee that there will be several bills. Tuesday there will be considered under a rule the so-called naval expansion bill, which will be disposed of on that day or, perhaps, Wednesday. It has not been determined yet whether the committees will be called on Wednesday or not. On Thursday the legislative appropriation bill, I am informed, will be ready for the consideration of the House.

Mr. MARTIN of Massachusetts. On Monday there will be nothing except District business?

The SPEAKER pro tempore. That is my understanding.

EXTENSION OF REMARKS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include therein certain excerpts.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend the remarks I made today and to include therein an address made by a former Member of this House, Hon. John M. Allen.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

PUBLIC DEFENDER, DISTRICT OF COLUMBIA

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent that the bill H. R. 8693, to provide for the office of Public Defender for the District of Columbia, be rereferred from the Committee on the District of Columbia to the Committee on the Judiciary.

The SPEAKER pro tempore. Is there objection?

There was no objection.

UNLAWFUL USE OF BADGES, ETC.

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 5982, for protection against unlawful use of the badge, medal, emblem, or other insignia of veterans' organizations incorporated by act of Congress, and providing penalties for the violation thereof, with Senate amendments thereto, disagree to the Senate amendments and ask for a conference.

The SPEAKER pro tempore. The gentleman from Pennsylvania asks unanimous consent to take from the Speaker's table the bill H. R. 5932, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference. The Clerk will report the Senate amendments.

The Clerk read the Senate amendments as follows:

Page 1, line 3, strike out all after "the" down to and including "sold," in line 6, and insert "manufacture or sale in interstate commerce."

Page 1, line 7, after "thereof," insert "or the reproduction thereof for commercial purposes."

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees:

Mr. SUMNERS of Texas, Mr. WALTER of Pennsylvania, and Mr. GWYNNE of Iowa.

NATIONAL LABOR RELATIONS ACT

Mr. MURDOCK of Utah. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record and to include therein a joint statement by myself and the Honorable ARTHUR D. HEALEY with reference to proposed amendments to the National Labor Relations Act.

The SPEAKER pro tempore. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend the remarks I made in the Committee of the Whole today, and to include a short article on Bonneville.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. TINKHAM. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by including an article from Standard Statistics in relation to taxes, and to print a short statistical table.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. JOHNSON of Indiana. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record and to include an article appearing in yesterday's Washington Daily Times, by Mr. George Rothwell Brown.

The SPEAKER pro tempore. Is there objection?

There was no objection.

SPONGE DISEASES

Mr. PETERSON of Florida. Mr. Speaker, I ask unanimous consent to proceed for 2 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. PETERSON of Florida. Mr. Speaker, first I compliment the Chairman and the subcommittee on the expeditious way in which they have handled this particular appropriation bill. My colleague, the gentleman from Florida [Mr. CANNON] and I had intended to offer an amendment to the Department of the Interior appropriation bill with reference to study and eradication of sponge diseases. A fungus disease has attacked sponges in the waters along the Florida coast which if unchecked will destroy more than a million dollar industry. In order to cooperate with the committee, and in order to get Budget approval, hoping to get it in time for a deficiency appropriation bill, or while this bill is before the Senate, did not offer that as an amendment, but will urge the approval by the Budget of the necessary item.

Mr. JOHNSON of Oklahoma. Mr. Speaker, will the gentleman yield?

Mr. PETERSON of Florida. Yes.

Mr. JOHNSON of Oklahoma. As the gentleman knows, I have visited the area to which he refers upon his invitation. I made some investigations for the committee recently at Tarpon Springs and held some public hearings there. I know that the situation is very serious at that point, and I was hopeful that the committee would receive a Budget estimate before this bill was reported for the purpose of helping relieve the situation. I am very sympathetic with the condition to which the gentleman refers and in which he is so

deeply concerned. I might add that he is to be congratulated on representing such a splendid, beautiful country and a progressive people. His district is to be congratulated upon having such a wide awake, able Representative in Congress. [Applause.]

Mr. PETERSON of Florida. I am very grateful for that contribution and I hope the Budget will approve the item in time for inclusion at this session. The sponge industry is an important industry, giving employment to more than 700 people directly in my district. The situation is becoming more acute every day.

The entire city of Tarpon Springs is largely dependent on the products of the sponge fisheries. It competes with no other industry. The disease infesting the sponges in the Bahamas first, then spreading gradually up the coast, has depleted entire areas. Sponge fishermen are specially trained. They and their fathers and grandfathers have followed this occupation. It is the only one they know. The Bureau of Fisheries has asked for \$36,650. This is not as much as the relief load of 1 month if these people are thrown out of employment. Our need is urgent. I realize the fact the House is loath to go above the Budget, so I am going to appeal to the Budget, but may have to appeal to you again because an important industry and the livelihood of many of my people are at stake. [Applause.]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. ARNOLD, of Illinois, for 8 days, on account of official business.

To Mr. CASE of South Dakota, for 4 days, beginning Tuesday, March 12, to attend a War Department hearing at Pierre, S. Dak.

The SPEAKER pro tempore. Under special order heretofore made, the gentleman from New Jersey [Mr. McLEAN] is recognized for 20 minutes.

REFORM IN GOVERNMENT—SINGLE TERM FOR THE PRESIDENT

Mr. McLEAN. Mr. Speaker, my purpose this afternoon is to direct attention to certain reforms which I firmly believe would greatly benefit our present and future existence.

My first suggestion has to do with economy. We must face the problem of reduction in our expenditures. This can be done in two ways. First, we can stop making contributions to the States for various non-Federal activities. This will have a double purpose. It will tend toward a balanced Budget and it will retard the present-day tendency to control State affairs and individual enterprise by Federal bureaucracy, under threat of loss of Federal appropriations. And secondly, by reducing expenses of the Federal Government. I know much has been said on this subject, but I advance a new viewpoint, which should emphasize the proposition and keep it constantly before us.

We have had so much discussion lately on imports and exports and various other percentages that we certainly must have become statistically minded. Yet, I doubt if anyone will venture to suggest to what extent the functions of Congress have been taken over by the Executive. The percentage would be so large that some of us would hesitate to admit the extent to which it has gone. But we do know that the abuses of authority granted to the Executive and the bureaus and boards under him have brought about the demand for the enactment of the Walter-Logan bill, the purpose of which is to prevent any Government agency from acting as legislator, prosecutor, judge, and executioner. That the people are sensible to this situation is evidenced by the demand for the early enactment of this measure. The sort of legislation which is the order of the present day leaves very little for the attention of Congress. It contemplates the centralization of all legislative power in the Executive. For example, everybody knows, as the President told us recently, that tariff making is a congressional function. But because, as has been alleged, it is such a stupendous undertaking and because Congress is susceptible to sinister and political influences, that function has been delegated to

the President. Congress has said it does not even care to be annoyed by approving the work of the Tariff Commission or those gentlemen who compose the various cloistered committees through which the destiny of American industry and agriculture must pass and which are composed of gentlemen who have a passion for anonymity. And there are other illustrations which might be used. Therefore, Mr. Speaker, in my judgment the forthcoming census has a very peculiar importance, far beyond the inquisitorial features of which the public now complain.

That is its relation to the organization of this House, with so much of the functions of Congress being taken over by others, there is little or no need for such a large membership, and I am of the opinion that, in the interest of economy, the membership of the House of Representatives could be reduced to at least one-half of its present number. I sometimes think it is the purpose to destroy its usefulness completely, and there have been times when I have felt that, in effect, it had been done. But my real purpose is to suggest a reform which I have advocated for some time. As long ago as the first session of the Seventy-third Congress I introduced an amendment to the Constitution providing that the President should be elected for a term of 6 years, and be ineligible to succeed himself, and on June 20, 1937, I addressed the House on the subject, and I showed that it was not a new idea, but had been advocated from time to time, since the adoption of the Constitution. In fact, this element of their deliberations gave the Constitutional Convention much concern, and our present system is the result of a compromise and the precedent set by George Washington and followed by his successors.

Now, Mr. Speaker, we have reached the point where Members of Congress admit that in at least one congressional function, Congress is incompetent to perform its stupendous tasks; that it is susceptible to sinister influences, political log rolling, and selfish interest, and we have transferred many of our functions to the Executive. It has never seemed to me that the habits of thought or the motives of men differ any, no matter with what branch of the Government they may be connected. Therefore we should clothe our public servants with such limitations and restrictions as will put them above the temptations which Congress, by its recent vote, admits.

I therefore advocate a single term for the President. It will place him above political considerations, in that he will not be influenced by the desire for reelection or the perpetuation of his party in power; it will place him above those sinister and political influences which must now seek solace and favor at his door.

My amendment suggests a term of 6 years. Some have criticized my effort because they say I can give no valid reason for 6 years, and Mr. Woodrow Wilson said, "To change the term to 6 years would increase the likelihood of its being too long without any assurance that it would, in happy cases, be long enough."

My answer to that is that there are provisions in the Constitution to take care of the first objection, and as to the second, we now have reason to believe that 7 years could be the appropriate length of time for a President to serve, because my reading of the CONGRESSIONAL RECORD for the past few days has almost persuaded even me that in 7 years everything necessary has been accomplished under conditions such as never before existed and which will never again return.

As a matter of historic interest, the gentleman from Mississippi [Mr. RANKIN] recently reminded the House that the constitution of the Confederacy provided for a single term for its president, with ineligibility to succeed himself. It is interesting to know that the principle was thus recognized.

Mr. Speaker, there are other reasons which can be advanced in support of this change in the length of term of the President, as I have previously pointed out, and I urge the Committee on the Election of the President and Vice President to give early consideration and approval to House Joint Resolution 50, which I have introduced for that purpose.

A single 6-year term filled by an Executive who knows that he will not seek reelection will be more productive than two 4-year terms which involve all of the bargaining and compromise frequently resorted to with the hope of reelection. With a single term the health of the President will be conserved, his judgment will be uninfluenced by political consideration of self-interest. There will be no possibility of neglect of duties, such as must necessarily result when a President is involved and actually engaged in a political campaign. The public welfare demands that everything possible be done to relieve the President of physical and mental strain, and place him in a position where none other than consideration of the general good will control his motives and influence his actions.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Vermont [Mr. PLUMLEY] is recognized for 15 minutes.

ADMIRAL RICHARDSON

Mr. PLUMLEY. Mr. Speaker, I am about to discuss an unpleasant situation. I am compelled to ask your indulgence and to urge you to believe that what I have to say and shall say I am constrained by a sense of duty so to do. The situation is one that must be discussed on a plane that is above any that may involve personal relations or friendships.

The rights of American citizens are involved. The future welfare of our country is an issue.

Familiarity with, rather than ignorance of, our fundamental law, and strict adherence to the stringent but wise provisions laid down by our forebears, is necessary if not only our national integrity is to be preserved and conserved but also if our relations with foreign governments are to be based on the precepts conceived by the framers of our republican form of government.

Several weeks ago I was astounded when, in perusing the January 22, 1940, issue of the widely distributed magazine *Life*, I turned the page to the picture story indexed "New Commander in Chief Takes Over United States Fleet." There a full-page picture of the new CinCus, Admiral Richardson, greeted the reader. Prominently, and objectively, displayed at his left was a solitary framed photograph; an autographed photograph of King George VI of England. The text accompanying the picture stated: "Framed photo of King George is a memento of last summer's royal visit, during which Admiral Richardson served as naval aide."

Now, it has been pointed out by others that it was grossly indiscreet of the highest ranking officer of our sea forces to display such a memento. Particularly so, coming at a time when the photograph is of one whose country is at death grips with an enemy power; even more strikingly so when our country is endeavoring to maintain a status of strict neutrality in the conflict raging overseas.

However, the clamor which has been raised following the appearance of this picture is the type of occurrence, in a minor degree, which the Founding Fathers of our Government tried to avoid thenceforth when they wrote into our fundamental, basic law—our Constitution—the following words of article I, section 9, clause 8:

No title of nobility shall be granted by the United States, and no person holding any office of profit or trust under them, shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state.

The foregoing is explicit, but allow me to direct your attention nevertheless to Farrand's Records of the Federal Convention of 1787 (vol. II, p. 389), wherein we find the following:

Mr. Pinkney urged the necessity of preserving foreign ministers and other officers of the United States independent of external influence and moved to insert after article VII, section 7, the clause following: "No person holding any office of profit or trust under the United States shall without the consent of the Legislature, accept of any present, emolument, office, or title of any kind whatever, from any king, prince, or foreign state," which passed nem: contrad.

And volume III, page 327, wherein the following is to be found:

Governor Randolph. * * * The next restriction is, that no titles of nobility shall be granted by the United States. If we cast our eyes to the manner in which titles of nobility first originated

we shall find this restriction founded on the same principles. These sprung from military and civil offices; both are put in the hands of the United States, and therefore I presume it to be an exception to that power.

The last restriction restrains any persons in office from accepting of any present or emolument, title, or office, from any foreign prince or state. It must have been observed before, that though the confederation had restricted Congress from exercising any powers not given them, yet they inserted it, not from any apprehension of usurpation, but for greater security. This restriction is provided to prevent corruption. All men have a natural inherent right of receiving emoluments from anyone, unless they be restrained by the regulations of the community. An accident which actually happened operated in producing the restriction. A box was presented to our Ambassador by the King of our allies.¹ It was thought proper, in order to exclude corruption and foreign influence, to prohibit anyone in office from receiving or holding any emoluments from foreign states. I believe, that if at that moment, when we were in harmony with the King of France, we had supposed that he was corrupting our Ambassador, it might have disturbed that confidence, and diminished that mutual friendship, which contributed to carry us through the war.

Moreover, allusion to this clause was made by Hamilton in No. 84 of the *Federalist* and undoubtedly by others of his contemporaries.

Dr. Story, in his *Commentaries on the Constitution*, tells us that the clause as to the acceptance of any present, emolument, title, or office, from any king or foreign state, "is founded in a just jealousy of foreign influence of every sort," and that "the provision is highly important, as it puts it out of the power of any officer of the Government to wear borrowed honors, which shall enhance his supposed importance abroad by a titular dignity at home."

Mr. Justice White, speaking in the case of *Downes v. Bidwell* (182 U. S. at 289), states:

It is impossible to conceive that where conditions are brought about to which any particular provision of the Constitution applies, its controlling influence may be frustrated by the action of any or all of the departments of the Government. Those departments, when discharging, within the limits of their constitutional power, the duties which rest on them, may, of course, deal with the subjects committed to them in such a way as to cause the matter dealt with to come under the control of provisions of the Constitution which may not have been previously applicable.

Back down through the years the advice of the Attorney General, to all of the many who have sought his legal opinion, has been that the language of the clause to which reference is made lends itself to no ambiguous construction.

As illustrative of the type of opinion given by the Attorney General advising the heads of departments in relation to their official duties, let me direct your attention to volume 24, page 116, and the following, of the *Opinions of the Attorneys General*, which is as follows:

GIFTS FROM FOREIGN PRINCE—OFFICER—CONSTITUTIONAL PROHIBITION

The provision of article I, section 9, clause 9, of the Constitution, which forbids the acceptance, without the consent of Congress, by any person holding any office of profit or trust under the United States, of any "present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state," applies as well to a titular prince as to a reigning one; and a simple remembrance of courtesy, even if merely a photograph, falls under the inclusion of "any present of any kind whatever."

This prohibition expressly relates to official persons and does not extend, under the circumstances outlined, to a department of the Government or to governmental institutions.

DEPARTMENT OF JUSTICE,

September 8, 1902.

SIR: I have the honor to respond to your note of August 27, submitting for my consideration a copy of a note from the German Embassy, which communicates a list of presents bestowed by Prince Henry of Prussia on the occasion of his recent visit to this country. You ask my opinion on the question whether the constitutional provision which forbids the acceptance, without the consent of Congress, of any "present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state," may be construed as applying only to a reigning prince, in which case the authority of Congress for the delivery of these presents would not be required. The presents consist of portraits given to the Navy

¹ Dr. Franklin is the person alluded to by Randolph. In the winter of 1856, in Philadelphia, under the roof of a venerable granddaughter of Dr. Franklin, I saw the beautiful portrait of Louis XVI, snuff-box size, presented by that King to the doctor. As the portrait is exactly such as is contained in the snuffboxes presented by crowned heads, one of which I have seen, it is probable this portrait of Louis was originally attached to the box in question, which has in the lapse of years been lost or given away by Dr. Franklin. H. B. Grigsby, *History of the Virginia Federal Convention of 1788* (Virginia Historical Society Collections, vols. 9-10), page 264.

Department, the Military Academy, and the Naval Academy, and of a photograph to each of several military and civil officers of the United States. The provision of the Constitution is as follows:

"No title of nobility shall be granted by the United States: And no person holding any office of profit or trust under them, shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state." (Art. I, sec. 9, clause 9.)

It is evident from the brief comments on this provision, and the established practice in our diplomatic intercourse (2 Story on the Constitution, 4th edition, pp. 216, 217; 1 Wharton's *International Law Digest*, sec. 110, p. 757), that its language has been viewed as particularly directed against every kind of influence by foreign governments upon officers of the United States, based on our historic policies as a nation. Although it is manifest that the particular collocation of words in the Constitution, like the words "any foreign prince or state" in the neutrality statutes, refers chiefly to a foreign government and its regular executive (cf. act January 31, 1881; 21 Stat. 604), it would not, in my judgment, be sound to hold that a titular prince, even if not a reigning potentate, is not included in the constitutional prohibition. For the phrase of the provision is "any king, prince, or foreign state," and a titular prince, although not reigning, might have the function of bestowing an office or title of nobility or decoration, which would clearly fall under the prohibition. As this remark suggests generally the character of the gift, whether a present or some title of honor (although you do not suggest this point), it must be observed that even a simple remembrance of courtesy, which from motives of delicacy recognizes our policy, like the photographs in this case, falls under the inclusion of "any present * * * of any kind whatever." The act of 1881, *supra*, which, it is true, refers only to a foreign government uses the words "any present, decoration, or other thing."

But as the constitutional prohibition expressly and exclusively relates to official persons, it could not properly be extended, under the circumstances at all events, in my judgment, to a department of the Government and to governmental institutions.

I have the honor to answer your question in the negative.

Very respectfully,

HENRY M. HOYT,
Acting Attorney General.

THE SECRETARY OF STATE.

Relating specifically to this very matter is section 110 of volume I of Wharton's *International Law Digest*, at pages 757-759, which is as follows:

XXXIV. PRESENTS NOT ALLOWABLE

In the session of 1798 a resolution passed the Senate authorizing Mr. Thomas Pinckney to receive certain presents tendered him by the courts of Madrid and London, respectively, on the termination of his missions to those places. The resolution was rejected in the House, though a resolution was subsequently unanimously adopted stating that ground of this rejection was public policy, and disclaiming any personal reference to Mr. Pinckney. (See 5 Hildreth, U. S. 237.)

"A custom prevails among the European sovereigns, upon the conclusion of treaties, of bestowing presents of jewelry or other articles of pecuniary value upon the minister of the power with which they were negotiated. The same usage is repeated upon the minister's taking leave at the termination of his mission. In Great Britain it is usual to offer the minister, at his option, a sum of money, graduated according to his rank, or a gold box or other trinket of equal value. The acceptance of such presents by ministers of the United States is expressly forbidden by the Constitution, and even if it were not, while the United States has not adopted the custom of making such presents to the diplomatic agents of foreign powers, it can scarcely be consistent with the delicacy and reciprocity of intercourse between them for the ministers of the United States to receive such favors from foreign princes as the ministers of those powers never can receive from this Government in return. The usage, exceptionable in itself, can be tolerated only by its reciprocity. It is expected by the President that every offer of such present which may in future be made to any public minister or other officer of this Government abroad, will be respectfully but decisively declined." (Mr. J. Q. Adams, Secretary of State, to Mr. Rush, Minister at London, November 6, 1817, Manuscripts Institute of Great Britain; H. Doc. No. 302, 23d Cong., 1st sess.)

"I am directed by the President to instruct the ministers, consuls, and other diplomatic commercial agents of the United States that it is required of them that in future they will not, unless the consent of Congress shall have been previously obtained, accept, under any circumstances, presents of any kind whatever from any king, prince, or foreign state." (Mr. McLane, Secretary of State, circular, January 6, 1834. H. Doc. No. 302, 23d Cong., 1st sess.)

This document contains a report (March 4, 1834) from Mr. Archer, from the Committee on Foreign Affairs, in which it is stated that "the Government of the United States is the only one known to lay its agents employed in foreign intercourse under strict interdiction as regards the acceptance of presents in any form. This interdiction being in the Constitution could derive no increase of notoriety more than authority from instructions to our agents abroad."

The report goes on to say that the acceptance of presents has, notwithstanding, taken place in cases when, in oriental countries, such acceptance is a matter of invariable usage, and when "refusal of acceptance would furnish occasion for resentment, compromising

oftentimes the efficacy of the agency, or it might be even the official immunities or personal security of the agent." The presents in such cases, when not perishable, have been deposited in the State Department, or, when not susceptible of such deposit (as with horses), sold, and the proceeds sent to the Treasury.

On the subject of accepting office or honors from a foreign country, we have the following:

"While recognizing to the fullest extent the eminent service of Captain Martinez, of the Chilean ship of war *Meteor*, in rescuing the survivors of the crew of the United States merchant ship *Manchester*, under circumstances of extreme distress, the uniform practice of this Government forbids the presentation to that officer, in its own name, of any tangible token of this recognition. As all officers of the United States are forbidden to receive such rewards from foreign governments for actions or services of striking merit, it is deemed delicate not to confer obligations in this respect upon foreign officers, which their governments could not, under similar circumstances, be permitted to reciprocate.

"In the mercantile marine no such difficulty exists, and Congress, as you are aware, has placed a liberal fund at the disposal of the President for the purpose of enabling him to offer suitable testimonials to those brave men who so often imperil their own lives in behalf of others" (Mr. Marcy, Secretary of State, to Mr. Starkweather, September 1, 1855. MSS. Inst., Chili).

"The Constitution of the United States provides that no person holding any office of profit or trust under the United States shall without the consent of Congress accept of any office or title of any kind whatever from any king, prince, or foreign state. The terms of this provision of the Constitution of the United States neither prevent nor authorize persons who may hold office under any one of the States from accepting an appointment under a foreign government" (Mr. Hale, Assistant Secretary of State, to Mr. Rosenberg, May 22, 1872. MSS. Dom. Let.).

"Diplomatic officers are forbidden from asking or accepting, for themselves or other persons, any presents, emolument, pecuniary favor, office, or title of any kind from any foreign government. It not unfrequently happens that diplomatic officers are tendered presents, orders, or other testimonials in acknowledgment of services rendered to foreign states or their subjects. These cannot be accepted without previous authority of Congress.

"It is thought more consonant with the character of the diplomatic representation of the United States abroad that every offer of such presents should be respectfully, but decisively, declined. This having been for several years a standing instruction to all our agents abroad, the rule is, probably, so well known as to prevent the offer of such presents in future; but it is deemed proper to call the attention of officers to the subject and to observe that should there be reason to anticipate such an offer, informal notice, given in the proper quarter, of the prohibition against accepting a direct tender thereof would avoid the apparent ungraciousness of declining a courtesy" (printed Pers. Inst., Dip. Agents, 1885).

As to accepting and giving presents, see Mr. Webster, Secretary of State, to Mr. Cushing, May 8, 1843, quoted supra, section 67.

See as to presents to the President of the United States, Senate report, Executive Document No. 23, Thirty-seventh Congress, second session.

As to presents offered to George P. Mar'h, arbitrator between Italy and Switzerland on a question of boundary by those Governments, see Senate Miscellaneous Document 16, Forty-fourth Congress, first session.

As to report in favor of Mr. J. R. Hawley's acceptance of decorations from the Governments of the Netherlands and of Japan, July 15, 1882, see House Report 1652, Forty-seventh Congress, first session.

Now, I have been advised by the Justice Department that no opinion on this particular provision of the Constitution has been rendered since 28 Opinions of Attorneys General, page 598, 1911; certainly none during the past 2 years.

Moreover, a search fails to disclose any bill having been introduced the objective of which would be to secure the necessary consent of the Congress for any gifts made or to be made incident to the visit of King George to this country last year.

Although I deprecate the lack of propriety evidenced by the picture appearing in *Life*, I do wish to pay my respects to Admiral Richardson's forthrightness, his fearlessness, honesty, and integrity.

I wired him yesterday to the following effect:

In re January 22, 1940, issue of *Life* magazine, pages 24 and 25, on page 25 of which text reads, "Framed photo of King George is a memento of last summer's royal visit," important that you advise me today by wire the occasion, date, and circumstances attending presentation of photo to you by King George or his representative.

And immediately from him received the following reply:

Photograph King George was given me at Hyde Park, N. Y., by the King in person on 11th June 1939, at the conclusion of his visit to the United States, during which I was detailed by the Navy Department, at the request of the State Department, to serve as naval aide. The photograph in *Life* was taken while I was on shore in my apartment, occupied by my family in Long Beach, Calif.

Some of my more Anglophobic correspondents have insisted that I rise to a question of the privilege of the House,

or to that of personal privilege; some have urged that I undertake to initiate impeachment proceedings. As to the first two propositions, parliamentary rules preclude me, were I so inclined. As to the last suggestion, there is neither occasion nor does necessity impel me to unduly magnify the incident.

As is politely suggested above:

It is deemed proper to call the attention of officers to the subject, and to observe that should there be reason to anticipate such an offer, informal notice, given in the proper quarter, of the prohibition against accepting a direct tender thereof would avoid the apparent ungraciousness of declining a courtesy.

May I say that the King should have been advised that he should not place the Commander in Chief in the embarrassing position of being the recipient from his hands of the memento or token involved, or of having to decline to accept the same; moreover, Admiral Richardson should not have accepted it, despite any embarrassment occasioned by a declaration on his part.

It would seem to me that this entire incident might have been avoided had not somebody bungled, and bungled badly.

SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S. J. Res. 206. Joint resolution creating a commission to arrange for the celebration of the sesquicentennial anniversary of the signing of the first United States patent law.

ADJOURNMENT

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 5 minutes p. m.), pursuant to its order heretofore entered, the House adjourned until Monday, March 11, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold hearings at 10 a. m. on the following dates on the matters named:

Friday, March 8, 1940:

H. R. 6321, to provide that the United States shall aid the States in fish-restoration and management projects, and for other purposes.

This bill was previously referred to the Committee on Ways and Means, but under date of February 26 it was rereferred to this committee.

H. R. 8423, retirement of commissioned officers of the Coast Guard.

H. R. 8537, relative to Coast Guard facilities at Seattle, Wash., and Chattanooga, Tenn.

Tuesday, March 12, 1940:

H. R. 5476, to create the Alaska Fisheries Commission, and for other purposes.

H. R. 6690, making further provision for the protection of the fisheries of Alaska, and for other purposes.

H. R. 7542, to amend section 6 of an act of Congress entitled "An act for the protection of the fisheries of Alaska, and for other purposes," approved June 6, 1924.

H. R. 7987, to amend section 1 of the act of June 6, 1924, as amended, relative to the fisheries of Alaska.

H. R. 7988, making provisions for employment of the residents of Alaska in the fisheries of said Territory, and for other purposes.

H. R. 8115, making provision for employment of residents of Alaska only in the salmon fishery of the Bristol Bay area, Alaska, during the year 1940.

H. R. 8172, to amend section 5 of the act of Congress approved June 26, 1906, relative to the Alaska salmon fishery.

Tuesday, March 19, 1940:

H. R. 6136, to amend the act entitled "An act for the establishment of marine schools, and for other purposes," approved March 4, 1911 (36 Stat. 1353; 34 U. S. C. 1122), so as to authorize an appropriation of \$50,000 annually to aid in the maintenance and support of marine schools.

H. R. 7094, to authorize the United States Maritime Commission to construct or acquire vessels to be furnished the States of New York, Massachusetts, Pennsylvania, and California, for the benefit of their respective nautical schools, and for other purposes.

H. R. 7870, to extend the provisions of the act entitled "An act for the establishment of marine schools, and for other purposes," approved March 4, 1911, to include Astoria, Oreg.

H. R. 8612, to authorize the United States Maritime Commission to construct or acquire vessels to be furnished the States of New York, Massachusetts, Pennsylvania, and California for the benefit of their respective nautical schools, and for other purposes.

Thursday, March 21, 1940:

The Committee on Merchant Marine and Fisheries will hold public hearings on Thursday, March 21, 1940, at 10 o'clock a. m., on the following bills providing for the establishment of marine hospitals: H. R. 2985 (GREEN), at Jacksonville, Fla.; H. R. 3214 (GEYER of California), at Los Angeles, Calif.; H. R. 3578 (CANNON of Florida), at Miami, Fla.; H. R. 3700 (PETERSON of Florida), State of Florida; H. R. 4427 (GREEN), State of Florida; H. R. 5577 (IZAC), at San Diego, Calif.; H. R. 6983 (WELCH), State of California.

Wednesday, March 27, 1940:

The Committee on Merchant Marine and Fisheries will hold public hearings on Wednesday, March 27, 1940, at 10 o'clock a. m., on the following bills providing for Government aid to the lumber industry: H. R. 7463 (ANGELL) and H. R. 7505 (BOYKIN).

Thursday, April 4, 1940:

The Committee on Merchant Marine and Fisheries will hold public hearings on Thursday, April 4, 1940, at 10 o'clock a. m., on the following bill: H. R. 7637, relative to liability of vessels in collision.

COMMITTEE ON THE JUDICIARY

On Wednesday, March 13, 1940, at 10 a. m., there will be continued before Subcommittee No. 1 of the Committee on the Judiciary public hearings on the following bills:

H. R. 3331 and S. 1032, to amend the act entitled "An act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes."

H. R. 6395, to extend the provisions of the act entitled "An act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes," approved June 30, 1936, to certain contracts carried out with the aid of Federal funds.

The hearings will be held in room 346, House Office Building.

COMMITTEE ON PATENTS

The Committee on Patents, House of Representatives, will hold hearings Thursday, March 14, 1940, at 10:30 a. m., on H. R. 8445, to protect the United States in patent-infringement suits. H. R. 8445 is a substitute for H. R. 6877.

The Committee on Patents will hold hearings Thursday, March 21, 1940, at 10:30 a. m., on S. 2689, to amend section 33 of the Copyright Act of March 4, 1909, relating to unlawful importation of copyrighted works.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1433. A letter from the Secretary of the National Institute of Arts and Letters, transmitting the official report of the National Institute of Arts and Letters for the year 1939; to the Committee on the Library.

1434. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated January 16, 1940, submitting a report, together with accompanying papers, on a preliminary examination and survey of Meachims Creek, Middlesex County, Va., authorized by the River and Harbor Act approved August 26, 1937; to the Committee on Rivers and Harbors.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. HOBBS: Committee on the Judiciary. House Joint Resolution 437. Joint resolution authorizing the President of the United States of America to proclaim Citizenship Recognition Day for the recognition, observance, and commemoration of American citizenship; with amendment (Rept. No. 1715). Referred to the House Calendar.

Mr. HOBBS: Committee on the Judiciary. S. 1398. A bill to amend the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917, as amended, to increase the penalties for peacetime violations of such act; with amendment (Rept. No. 1716). Referred to the House Calendar.

Mr. LANHAM: Committee on Public Buildings and Grounds. H. R. 8540. A bill to authorize an increase in the White House Police force; without amendment (Rept. No. 1718). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mrs. O'DAY: Committee on Immigration and Naturalization. H. R. 8226. A bill for the relief of David Morgenstern; with amendment (Rept. No. 1717). Referred to the Committee of the Whole House.

Mr. MAY: Committee on Military Affairs. H. R. 8077. A bill to authorize certain officers of the Army of the United States to accept such medals, orders, and decorations as have been tendered them by foreign governments; without amendment (Rept. No. 1719). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SMITH of Virginia:

H. R. 8813. A bill to amend the National Labor Relations Act; to the Committee on Labor.

By Mr. BRADLEY of Michigan:

H. R. 8814. A bill to establish rearing ponds and a fish hatchery; to the Committee on Merchant Marine and Fisheries.

By Mr. EBERHARTER:

H. R. 8815. A bill to grant per diem compensation to the appointed members of the Board of Steam and Other Operating Engineers of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. MAAS:

H. R. 8816. A bill to provide for the retirement of enlisted men of the United States Navy and Marine Corps for physical disability incurred in line of duty, and for other purposes; to the Committee on Naval Affairs.

By Mr. SASSCER:

H. R. 8817. A bill authorizing acquisition of a site for the farmers' produce market, and for other purposes; to the Committee on the District of Columbia.

By Mr. BUCK:

H. R. 8818. A bill validating certain conveyances heretofore made by Central Pacific Railway Co., a corporation, and its lessee, Southern Pacific Co., a corporation, involving certain portions of right-of-way in the city of Tracy, in the county of San Joaquin, State of California, and in the town of Elk Grove, in the county of Sacramento, State of California, acquired by Central Pacific Railway Co. under the act of Congress approved July 1, 1862 (12 Stat. L. 489), as amended by the act of Congress approved July 2, 1864 (13 Stat. L. 356); to the Committee on the Public Lands.

By Mr. SACKS:

H. R. 8819. A bill granting pensions to certain needy veterans of the World War; to the Committee on World War Veterans' Legislation.

By Mr. SCRUGHAM:

H. R. 8820. A bill to grant pensions and increase of pensions to certain veterans of the War with Spain, the Philippine Insurrection, or the China Relief Expedition; to the Committee on Pensions.

By Mr. BARRY:

H. R. 8821. A bill to amend the act entitled "An act to prohibit financial transactions with any foreign government in default on its obligations to the United States," approved April 13, 1934; to the Committee on Foreign Affairs.

By Mr. GWYNNE:

H. R. 8822. A bill to extend original jurisdiction to district courts in civil suits between citizens of the District of Columbia, the Territories of Hawaii or Alaska, and any State or Territory; to the Committee on the Judiciary.

By Mr. SHAFER of Michigan:

H. R. 8823. A bill to extend the benefits of the United States Employees' Compensation Act to emergency relief employees suffering from occupational diseases; to the Committee on the Judiciary.

By Mr. RAMSPECK:

H. R. 8824. A bill to amend section 3 of title 43 of the United States Code; to the Committee on the Public Lands.

By Mr. KLEBERG:

H. R. 8825. A bill to provide for the establishment of the Farm Credit Administration as an independent agency of the Government, and for other purposes; to the Committee on Agriculture.

By Mr. MITCHELL:

H. R. 8826. A bill to authorize an appropriation to assist in defraying the expenses of the American Negro Exposition to be held in Chicago, Ill., during 1940; to the Committee on the Library.

H. J. Res. 484. Joint resolution declaring the birthday of Abraham Lincoln to be a legal holiday; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CRAVENS:

H. R. 8827. A bill for the relief of L. A. Holcombe; to the Committee on Invalid Pensions.

By Mr. DIRKSEN:

H. R. 8828. A bill granting a pension to Mary Loretta DeLancey; to the Committee on Invalid Pensions.

By Mr. HARTER of New York:

H. R. 8829. A bill granting an increase of pension to Raymond E. Daniels; to the Committee on Pensions.

By Mr. HAVENNER:

H. R. 8830. A bill to amend the records at the port of New York to show the admission of Steve Zegura, Jr., and B. Dragomir Zegura as aliens admitted for permanent residence; to the Committee on Immigration and Naturalization.

By Mr. KEAN:

H. R. 8831. A bill for the relief of Bernard E. Wareheim; to the Committee on Claims.

By Mr. McLEOD:

H. R. 8832. A bill for the relief of Carlo Incamicia; to the Committee on Immigration and Naturalization.

By Mr. O'BRIEN:

H. R. 8833. A bill for the relief of Gregorio Geraci; to the Committee on Immigration and Naturalization.

By Mr. SOMERS of New York:

H. R. 8834. A bill for the relief of Louis Gelber; to the Committee on Immigration and Naturalization.

By Mr. SHANNON:

H. R. 8835. A bill to provide for the relinquishment of mineral reservations in the land patent of May L. Sheeks; to the Committee on the Public Lands.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6817. By Mr. BRADLEY of Michigan: Petition of H. I. Ochs and Mrs. E. J. Smith, of Charlevoix, Mich., and others, supporting House bill 1; to the Committee on Ways and Means.

6818. By Mr. FLAHERTY: Petition of the Boston Christian Endeavor Union, urging Congress to place an embargo upon the sale of American war materials and equipment to Russia and Japan and that no American credit be available to Russia and Japan; to the Committee on Foreign Affairs.

6819. By Mr. GWYNNE: Petition of George E. Hamilton and numerous other citizens of Greene, Iowa, urging enactment of House bill 1, known as the Patman chain-store bill; to the Committee on Ways and Means.

6820. By Mr. HARTER of New York: Petition of the Genesee-Jefferson Business Men's and Taxpayers' Association, Inc., Buffalo, N. Y., opposing the proposed St. Lawrence waterway project; to the committee on Foreign Affairs.

6821. Also, petition of the New York State Senate, memorializing Congress to enact legislation to prevent any President from seeking a third term; to the Committee on the Judiciary.

6822. Also, petition of the Brotherhood of Maintenance of Way Employees, Central Lodge No. 866, Buffalo, N. Y., opposing the St. Lawrence seaway project; to the Committee on Foreign Affairs.

6823. By Mr. KEOGH: Petition of the National Door Manufacturers' Association, Inc., Chicago, Ill., concerning House bill 4363; to the Committee on Labor.

6824. Also, petition of the Leach Co., of Oshkosh, Wis., concerning the Walter-Logan bill; to the Committee on the Judiciary.

6825. By Mr. SCHAFER of Wisconsin: Petition of the businessmen of Lower Third Street, Milwaukee, Wis., opposing the enactment of the Neely bill, which eliminates "block booking" in the movie industry; to the Committee on Interstate and Foreign Commerce.

6826. Also, petition of the businessmen of Mitchell Street, Milwaukee, Wis., opposing the enactment of the Neely bill, which eliminates "block booking" in the movie industry; to the Committee on Interstate and Foreign Commerce.

6827. By Mr. SCHIFFLER: Petition of J. B. McLaughlin, commissioner of agriculture, and A. B. Hatten, E. E. Brammer, E. L. Harris, Kiah Maynard, and Harrison Bradshaw, representatives of all tobacco growers in West Virginia, protesting against the 1940 acreage allotments in West Virginia; to the Committee on Ways and Means.

6828. By Mr. SCHWERT: Resolution of the Common Council of the city of Lackawanna, N. C., urging favorable action on legislation appropriating funds for the relief of the Polish people; to the Committee on Foreign Affairs.

6829. Also, resolution of Local Lodge, No. 866, Brotherhood of Maintenance of Way Employees, Buffalo, N. Y., opposing the proposed St. Lawrence seaway; to the Committee on Interstate and Foreign Commerce.

6830. Also, resolution of Polonia Lodge, No. 1176, of the Brotherhood of Railway Carmen of America, Buffalo, N. Y., opposing the St. Lawrence seaway; to the Committee on Foreign Affairs.

6831. By Mr. SHAFER of Michigan: Petition of 3,592 citizens of New York, Montana, Utah, Vermont, Ohio, and other States, supporting House bill 5237, which provides for 30-year optional retirement of postal employees; to the Committee on the Civil Service.

6832. Also, resolution of the National Door Manufacturers Association, Inc., supporting House bill 4363, which provides for the amendment of section 13 of the Wages and Hours Act, to exempt from the provisions of sections 6 and 7 all clerical employees paid on a straight-salary basis who are given vacations with pay; to the Committee on Labor.

6833. By Mr. WHITTINGTON: Petition of the Legislature of the State of Mississippi to Congress, requesting the continuance of the program of the Bankhead-Jones Farm Tenant Purchase Act; to the Committee on Agriculture.

6834. By the SPEAKER: Petition of assembly of youth, committee for Philadelphia Youth Council, Philadelphia, Pa., petitioning consideration of their resolution with reference to antialien legislation; to the Committee on Immigration and Naturalization.

6835. Also, petition of Missionary District of the Panama Canal Zone, Ancon, C. Z., petitioning consideration of their resolution with reference to regulation and restrictions of employment; to the Committee on Merchant Marine and Fisheries.

SENATE

FRIDAY, MARCH 8, 1940

(Legislative day of Monday, March 4, 1940)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

Dear Lord and Heavenly Father, we come to Thee as humble penitents seeking the comfort of the divine pledge of the forgiveness of our sins. Cleanse Thou our hearts from all envy, hatred, and malice, that in our thoughts, our words, and our actions we may show to each other only the spirit of courtesy and kindness as we wrestle with the problems that are pressing for solution to the advancement of Thy glory, the safety, honor, and welfare of Thy people.

Do Thou clarify our vision, gird us for our toil, direct our minds and wills, and grant that we may never lose our self-respect nor forfeit the confidence of those who trust us now because we trust in Thee. We ask it in the name of Him who came to show mankind the true and living way—Jesus Christ, our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Thursday, March 7, 1940, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Downey	Lodge	Schwellenbach
Andrews	Ellender	Lucas	Shipstead
Ashurst	Frazier	McCarran	Smathers
Austin	Gerry	McKellar	Smith
Bailey	Gibson	McNary	Stewart
Bankhead	Gillette	Maloney	Taft
Barbour	Green	Mead	Thomas, Idaho
Barkley	Guffey	Miller	Thomas, Okla.
Bilbo	Gurney	Minton	Thomas, Utah
Brown	Hale	Murray	Tobey
Bulow	Harrison	Neely	Townsend
Byrd	Hatch	Norris	Truman
Byrnes	Hayden	Nye	Tydings
Capper	Herring	O'Mahoney	Vandenberg
Chandler	Hill	Overton	Van Nuys
Chavez	Holman	Pepper	Wagner
Clark, Idaho	Holt	Pittman	Walsh
Clark, Mo.	Hughes	Radcliffe	Wheeler
Connally	Johnson, Calif.	Reed	White
Danaher	Johnson, Colo.	Reynolds	
Davis	La Follette	Russell	
Donahey	Lee	Schwartz	

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] and the Senator from Arkansas [Mrs. CARAWAY] are absent from the Senate because of illness.

The Senator from Nebraska [Mr. BURKE], the Senator from Minnesota [Mr. LUNDEEN], the Senator from Texas [Mr. SHEPPARD], and the Senator from Illinois [Mr. SLATTERY] are detained on important public business.

The Senator from Georgia [Mr. GEORGE], the Senator from Virginia [Mr. GLASS], and the Senator from Utah [Mr. KING] are unavoidably detained.

Mr. AUSTIN. I announce that the Senator from Wisconsin [Mr. WILEY] is unavoidably absent because of illness.

The VICE PRESIDENT. Eighty-five Senators have answered to their names. A quorum is present.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Latta, one of his secretaries.

EXPENSES OF THE INTERNATIONAL TECHNICAL COMMITTEE OF AERIAL LEGAL EXPERTS

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations:

To the Congress of the United States of America:

I commend to the favorable consideration of the Congress the enclosed report from the Secretary of State to the end that Public Resolution Numbered 254, approved August 7, 1935 (49 Stat. 540), be amended by repealing section 2 of the resolution, which terminates the provisions of the resolution as of June 30, 1941, so as to provide an annual appropriation to meet the share of the United States toward the expenses of the International Technical Committee of Aerial Legal Experts and for participation in the meetings of the committee and the Commissions established by that Committee.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, March 8, 1940.

Enclosure: Report.

PETITIONS AND MEMORIAL

The VICE PRESIDENT laid before the Senate a resolution of the Pennsylvania District Executive Board of the State, County, and Municipal Workers of America (C. I. O.), Harrisburg, Pa., favoring the proposal that the President call a conference of labor, industry, and Government leaders to map a program to end the problem of unemployment, which was referred to the Committee on Education and Labor.

Mr. GIBSON. Mr. President, I have before me and ask consent to present for appropriate reference a petition signed by members of the auxiliary to Robert T. Shepardson Post No. 82, American Legion, of Londonderry, Vt., asking consideration for House bill 7593, which provides Government protection to widows and children of deceased World War veterans.

The VICE PRESIDENT. Without objection, the petition will be received and referred to the Committee on Finance.

Mr. TYDINGS presented a resolution of Janet Montgomery Chapter, Maryland Society, Daughters of the American Revolution, protesting against the enactment of Senate bill 1650, providing that money be drafted for use in war, which was ordered to lie on the table.

REPORTS OF COMMITTEES

Mr. ADAMS, from the Committee on Appropriations, to which was referred the bill (H. R. 8641) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1940, to provide supplemental appropriations for such fiscal year, and for other purposes, reported it with amendments and submitted a report (No. 1296) thereon.

Mr. HARRISON, from the Committee on Finance, to which was referred the joint resolution (H. J. Res. 407) to extend the authority of the President under section 350 of the Tariff Act of 1930, as amended, reported it without amendment and submitted a report (No. 1297) thereon.

Mr. WHEELER, from the Committee on Interstate Commerce, to which was referred the bill (H. R. 7863) to amend section 602 (e) of the Communications Act of 1934, as amended, relating to a study of radio requirements for ships navigating the Great Lakes and inland waters of the United States, reported it without amendment and submitted a report (No. 1298) thereon.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

Mr. TRUMAN (for Mrs. CARAWAY), from the Committee on Enrolled Bills, reported that on March 7, 1940, that committee presented to the President of the United States the following enrolled bills and joint resolution:

S. 263. An act for the relief of George R. Morris;